

1088  
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ASSISTANT

TO THE

PRACTICE OF CONVEYANCING;

CONTAINING

INDEXES OR REFERENCES

TO THE SEVERAL

DEEDS, AGREEMENTS, AND OTHER ASSURANCES

COMPRISED IN THE SEVERAL

PRECEDENT BOOKS OF AUTHORITY NOW IN PRINT.

*From the Time of SIR ORLANDO BRIDGMAN  
to the present Period.*

WITH

SHORT REMARKS ON THE DISTINGUISHING QUALITIES  
of each PRECEDENT;

AND

CURFORY OBSERVATIONS ON THE PECULIAR MERIT OF THE  
CONVEYANCERS BY WHOM THEY WERE RESPECTIVELY PRE-  
pared.

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By JAMES BARRY BIRD,  
OF NEW INN, ESQ.

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INDEXES OR REFERENCES

UNITED STATES ASSURANCES

THESE BOOKS ARE AVAILABLE NOW IN PRINT.

And the 1 mo. of Sir Orlando Bridgman

to the present I am.

SUGAR BEETRAKES ON THE IMPROVING QUALITIES

Each President

AND

Observations on the Pacific Islands of 1912

CONFIDENTIAL - SECURITY INFORMATION

BY JAMES EARLY BIRD

521, 1st wk

RECEIVED FOR W. C. LEE, JR. /

## P R E F A C E.

**I**N compiling the collection of Precedents which I lately submitted to the candour of the Profession, it was found impossible to comprise, within any tolerable compass, appropriate forms adapted to every variety of circumstance which the peculiar situations of parties and of property, in an opulent and commercial country, perpetually give rise to, and for which it is in most cases necessary to provide. This suggested to me the propriety of the following INDEX, as being the most convenient, if not the only mode, by which such a defect could be supplied. A new advantage seems also presented by collecting in one view the several Precedents prepared by Conveyancers of eminence at different periods of time: as it furnishes the student with

an easy means of comparing the ancient with the more modern forms of the different species of assurances and contracts, and, consequently, of perceiving the alterations which have progressively taken place in their form and style; and the superior technical precision to which they have at length arrived. With this view, as well as to prevent the student from being misled by hasty and inaccurate drafts, I have directed him to such collections only as are known to be the production of practisers of real and acknowledged eminence. And as even in these, owing to the inaccuracy of transcribers, and the interpolations of editors, a material difference may be discovered in respect to their relative excellence, I thought it expedient, (particularly in the *Precedents of Sir Orlando Bridgman*, where the difference is most apparent) to point out by very short remarks, such as, either for the variety of their matter, or the accuracy or neatness with which



they are prepared, seem most to merit the Student's imitation.

But in this, as well as every other part of the present volume, I am conscious of needing the Student's utmost indulgence. It was impossible (in the short period allowed me) to read over with the requisite attention every Precedent contained in the many volumes to which it was necessary to refer. I was obliged therefore in general, to content myself with such inferences, as I was able to draw (as well in respect to the matter of each Precedent, as the contents of each volume) from a perusal of the marginal notes. The difficulty too and care of arranging such a variety of articles in a methodical form, and in such order as seemed best fitted for use, will readily be conceived to have been immense: and if it has been attended with any tolerable success, it is almost more than at sometimes I dared venture to expect. I am not however without my

hopes of being enabled at a future period to make it somewhat less imperfect, and render it a compilation not altogether unworthy the Student's attention. In the mean time I have every reason to believe, from the reception of my former attempts to benefit the Profession, that my endeavours will be regarded with indulgence, and in proportion to such indulgence shall exert my zeal to contribute to their future service.

## INTRODUCTORY OBSERVATIONS.

**I**N addition to the short remarks interspersed throughout the following pages, characteristic of the particular Draughts to which they are respectively annexed, it may not be improper to prefix some general observations relative to the respective characters, (as draughtsmen) of those by whom they were severally prepared or settled: this will enable the Student, amongst the various Precedents he will find of a similar import, to have recourse to the author of whose manner he may most approve.



The first in point of time, whose draughts have been collected and published, is *Sir Orlando Bridgman*, (Lord Keeper in the time of *Charles II.*) This gentleman was of distinguished eminence during the period of his practice, and his draughts are still admired and resorted to by all who deem a propriety of composition not incompatible with technical accuracy. In this author the Student will perceive much to admire. The arrangement of his circumstances is peculiarly easy and perspicuous; his language bold, clear, and expressive; and the variety and justness of provisions indicate a quickness of conception, a solidity of judgment, and a great extent of legal knowledge: but, unfortunately, they are given to the public in a manner slovenly and indiscriminate. The great inferiority of some to the rest, affords also too much reason to fear there has been much interpolation; and every edition of the first volume, presents

fresh evidence of the carelessness of the editors.

The next Precedents I have referred to are those of *Lilly*, the discriminative qualities of which are *neatness* and *accuracy*. The Reader will not discover in them the boldness and freedom which we have remarked in *Bridgman*; but they are equally, and perhaps more to be depended upon. He appears to have been a man of judgment and sufficient legal knowledge, and to have possessed moreover the essential qualifications of care and circumspection. His Precedents have likewise the advantage of having been printed under the Author's own inspection; and are of a date sufficiently recent to possess (with a few exceptions only) all the material improvements, and substantial efficiency of later forms.

The Precedents of *Horsman* (a gentleman of great professional reputation

as a conveyancer) being still more modern, and comprising a greater variety of Forms than those of either *Bridgman* or *Lilly*, are, it is believed, more resorted to in practice than any other; but they possess neither the easiness nor boldness of the one, nor the neatness of the other: they are many of them clumsy in their form, and all of them coarse in their stile; they are however allowed to be safe, and the provisions, in general, are numerous and proper.

Of the collection published by Mr. *Williams*, the various hands by which they were prepared render it impossible to give a general character: the names however subscribed to them will in general bespeak their relative excellence. *Filmer*, *Duane*, *Booth*, *Rivet*, *Fogg*, *Fazakerley*, and *Wilbrabam*, were all, and more particularly the three first, men of high repute, and their draughts esteemed of the best kind; but they are



too few as presented in the Collection mentioned, to enable us to form any distinct notion of the peculiar stile of their respective authors. Those to which are affixed the signature of *J. H.* are indeed more numerous, but as they are supposed to have been drawn or perused by a gentleman now in practice, it would be improper to observe upon them.

As to the Precedents comprised in the original volumes of *Wood*, I shall only say, that I have not thought it necessary to refer to them, whilst those which have been since introduced by Mr. *Powell* (whose eminence as a conveyancer is sufficiently known) have been carefully noticed.

Upon the whole it appears (so far at least as the opinion of the present Compiler is deserving regard) that the Student who would form his stile of drawing upon any of the models which we have referred to, may resort to

*Bridgman* for a bold and scientific manner; to *Lilly*, for a concise and neat one; and to *Horsman* rather for use than imitation.

With these short remarks I shall at present close my observations. At a future period, should the volume to which they are prefixed, meet with a favourable reception, I may possibly resume the same enquiry, and pursue it to a greater extent.

## AN ASSISTANT

to

## CONVEYANCING.

### ACT OF PARLIAMENT.

**A** Short act of parliament enabling a *cestui que trust*, under a marriage settlement, to dispose of settled estates for the payment of debts. 1 *Bridgm.* 221.

Act of parliament to settle estates, previous to a marriage, and to empower sale thereof for raising portions, (*a great variety of limitations and provisions; and drawn with perspicuity and accuracy*). *Lil.* 698.

References in deeds, to acts of parliament. *Horfm.* 381. 482. 587.

### ACQUITTANCES.

**ACQUITTANCE** by a feme covert (in a deed of appointment) for arrears of an annuity. *Horfm.* 45.

Acquittance or receipt for mortgage money indorsed on the back of the mortgage deed. *2 Bridgm.* 344. 349.

B

Act of parliament.

To sell estates.

Acquittance

Annuity.

Mortgage money.



## AFFIDAVITS.

Portion.

Acquittance for a portion that was originally secured by mortgage to a trustee for the husband, but since paid off by a third person, (*short but special*). *Horism.* 5.

Purchase money.

Acquittances for purchase monies, (by separate instruments). 2 *Bridgm.* 75. 342, 343.

The like with reference to the deed of conveyance. *Horism.* 1.

Acquittance for a part of purchase money under special circumstances arising under a will. *Horism.* 6.

Common acquittance in a deed for consideration. *Horism.* 12. 380. See RELEASE.

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Admittance

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To copy-holds.

THE form of an admittance to copyhold premises. *Horism.* 280.

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Affidavit

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As to incumbrances

## AFFIDAVITS.

AFFIDAVIT that premises comprised in a lease which is lost are free from incumbrances. *Lil.* 688.

A general affidavit of premises being free from incumbrances. *Ibid.* 690.

That mortgaged premises are free from incumbrances. 2 *Bridgm.* 550. *Horism.* 796.

That the grantor of premises was seized in fee at the time of the grant, and that the same were free from incumbrances; with special exceptions. 2 *Bridgm.* 551.

Note, *Affidavits relative to the title of estates are now much out of use.*

Of a purchase.

Of a purchase and conveyance having been made, to prevent premises being doubly taxed. *Lil.* 689.

## AGREEMENTS.

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Affidavit of the due execution of a letter of attorney. *Lil.* 533. 690. Of execut-  
ing deeds.

Of the execution of deeds, and a memorial. *Horfm.* 823.

## AUTHORITY.

Authority.

AN authority to a steward of a manor to enter satisfaction upon the court rolls, of monies due on mortgage. 2 *Wms.* 520. (*T. W. W.*) To enter  
satisfaction

## AGREEMENTS.

Agreement.

AN agreement (by indenture) for further securing an estate lately purchased, and discovered to be encumbered. (*a variety of special matters.*) *Lil.* 467. For further  
security.

An agreement (in a deed) for referring disputes which may arise in an executorship to arbitration. 1 *Bridgm.* 13. To termi-  
nate differ-  
ences.

The like in relation to partnership concerns. *Ibid.* 331, 349. (*the first well drawn.*)

Agreement to convey lands, &c. for the purpose of ending family differences. *Horf.* 926.

Articles of copartnership in the business of a weaver; with special provisions. 1 *Bridgm.* 324.

Articles of copartnership relative to the trade of a brewer, (*well drawn; with many special covenants and agreements.*) 1 *Bridgm.* 350. Agreements  
relative to  
copartner-  
ship.

The like between two goldsmiths, (*well drawn*) *Ibid.* 433.

Articles of copartnership between a master and his late apprentice in the trades of a confectioner and tobacconist, (*well drawn*). *Lil.* 580.

The like between two booksellers for the term of seven years, (*well drawn*). *Lil.* 586.

## AGREEMENTS.

Copartner-  
ship conti-  
nued.

Articles of copartnership in the trade of a *Dyer*, the one party supplies the skill and industry, and the other advances the money. 2 *Bridgm.* 440. *Horfm.* 236.

Articles of copartnership between *Potters*, one of the partners having a house, &c. for that purpose; which is to be enjoyed by moieties at a stated value. *Horfm.* 240.

Between two *Linendrapers*; the trade to be carried on in the house which one of them inhabits: one to bring in two thirds stock, and the other one third, and to divide, &c. in proportion; a yearly sum to be allowed for servants' diet, and to entertain customers. *Ibid.* 245.

Between three *Linen-drapers*; one party finds board, &c. for the other two, upon terms agreed. One party, after a time, may take out part of the stock, and another may add to his part. Provision in case any party does not bring in a full share. *Ibid.* 261.

Copartnership between father and son in the trade of a *Hofer*; the father is to bring three fourths stock, and the son one fourth, and to divide accordingly: the father has an overplus sum in stock, which he may continue or withdraw; an agreement as to bad debts already due. *Ibid.* 254.

The like between two, in the trade of a *Hofer*: indulgence as to one party's attendance, &c. and provision for continuing the trade in case of his death; and to allow the other for trouble, &c. *Ibid.* 269.

The like between *apothecaries*, the coming in partner to have a fourth part of the profits, privileges allowed to the first partner as to residence, hiring servants, and other matters



## AGREEMENTS.

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(a great variety of special provisions). 2 *Wms.* 725. (I. H). Copartner-  
ship conti-  
nued.

Copartnership between the proprietors of a *bathing-house* which they jointly erected, provisions as to the stile of the company, annual meeting of the proprietors, appointment of treasurer, auditing accounts, making dividends, &c. 2 *Wms.* 746. (*Weston*)

The like between dealers in *carpets*. 2 *Wms.* 767. (*B—e*)

An indorsement on articles of copartnership, to continue it for a further term; it having been continued once before. *Horfm.* 253. Renewal.

An agreement to dissolve a copartnership; special provision relative to the payment of the debts of the house. 2 *Wms.* 787. (*W. Blackstone*) Dissolution

The like to be indorsed on the deed of copartnership. *Horfm.* 238.

The like in a deed of composition. 3 *Wms.* 709.

Agreement between copartners in the trade of an *Ironmonger*, to permit a third person who has advanced money to one of the partners, to inspect the copartnership concerns, and for charging the interest of the money advanced on his share of the profits who had borrowed the same. 1 *Wms.* 11. (*Kenyon*)

Agreement of creditors to accept of their debts by installment. *Lil.* 604. See COMPOSITION. Agreement  
in respect  
of debts.

Agreement to give a moiety of a debt, supposed to be desperate, to a person who has

discovered assets ; such person covenanting to refund should the discovery prove ineffectual. (*well drawn*) *Horfm.* 7.

Deputyship

Articles of agreement between a surveyor of the customs and his deputy ; the deputy to retain a sixth part of the profits. *Lil.* 464.

Agreement between a public notary and his deputy, with a variety of special provisions, (*well drawn*) *Lil.* 471.

Cancel agreement.

Agreement by way of covenant that certain articles of a former agreement shall be cancelled, and that such new clauses shall be introduced as are mentioned in the present agreement. 1 *Wms.* 45 (*I. H.*)

To make division.

Agreement between brothers for making an equal division of money left by the will of their father, notwithstanding any other appointment thereof by their mother. 1 *Wms.* 16. (*Rivet*)

To waive a condition.

Agreement between a brother and two sisters, that one of the sisters, entitled to real and personal estates under a will upon condition of her not marrying a particular person, should notwithstanding a breach of the condition be permitted to enjoy the personal estate on her giving up the real. 1 *Wms.* 21. (*Rivet*)

An agreement or assent of a son (to whom a moiety of his sister's portion was devised over, in case she should marry a particular person) that the interest shall be paid her ; such marriage not having taken effect, nor the portion yet payable. *Horfm.* 235.

To deposit a will.

Agreement (in a deed) that the will of a deceased testator shall be deposited in the hands of a third person for the benefit of disputants. 1 *Bridgm.* 13.

## AGREEMENTS.

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Agreement between brothers, co-executors; they being entitled to contingent sums under the wills of their father and uncle, hereby agree to manage particular parts of the estates, and to account to each other: penalties for non-observance. *Horfm.* 8. Manage estates and account.

Agreement in a lease that lessee shall be at liberty to lop trees (with an exception) and to have rough timber for repairs. *1 Bridgm.* 261. *See COVENANTS.* Lopping trees.

Articles of agreement before marriage to convey or leave by will, the third part of real and personal estates to the wife; a covenant that she shall moreover enjoy any further advantages accruing by the custom of London. *(short)* *Ibid.* 121. 270 *(the same)* Agreements before marriage. (Husband's estate.)

Articles of agreement before marriage, made by the relations of the parties, for the payment of a sum of money, and surrender of leaseholds to be settled to various uses *(some special circumstances and provisions; and accurately drawn)* *1 Bridgm.* 183.

Agreement and declaration in pursuance of an intended marriage that wife when of age shall settle her estate to the uses of such marriage. *Ibid.* 180.

An agreement before marriage, by which the intended husband and wife direct the trustees of a mortgaged term, to get in mortgage monies, and apply same in exoneration of estates settled by indenture of even date. *Horfm.* 41.

Articles previous to a marriage: whereby a jointure is limited, and a term created to raise portions for younger children, in pursuance of powers in that behalf, and covenant to leave them a further sum. *Ibid.* 421.



Marriage  
agreements  
*continued.*

Articles before marriage, for settling divers freehold and leasehold estates ; with variety of limitations, powers and provisos. *Horfm.* 430.

The like ; whereby the intended husband and wife agree, that two bonds (which are her portion) be assigned to trustees ; the money to be laid out in lands to be settled ; several powers for renewing the trust, indemnifying the trustees, and making appointments. *Ibid.* 439.

The like ; in which the husband covenants to settle manors, &c. of inheritance, of a considerable value, and to make a jointure ; and likewise for payment of the jointure ; and yearly value of the rent, in case of his death before settlement made ; the lady's father covenants to pay further sums upon contingencies. *Ibid.* 449.

Agreement whereby it is covenanted that a certain proportion of the husband's personal estate shall be left to the wife and children ; and the copyhold of the wife shall be surrendered to certain uses. *Ibid.* 453.

The like ; by which the intended husband (in pursuance of a power given by his uncle's will) settles a third part of the devised lands on the wife, &c.—Covenants to pay off a mortgage, and to settle part of that land on the wife, and to enlarge her settlement on the falling-in of annuities, and to leave personal estate to her children. *Ibid.* 491.

Marriage articles ; whereby the intended husband's father covenants to pay him a sum of money, and another sum to trustees : the wife's father covenants also to pay a sum to the same trustees for her portion ; these two latter

sums to be laid out in lands, and settled. Indemnity to the trustees. *Horfm.* 504. Marriage agreements continued.

The like ; by which the intended husband having before agreed to transfer to trustees South-sea annuities, now directs the trust of them to be invested in a purchase of lands to be settled ; provisions for children's portions, maintenance, and education ; directions about clauses to be contained in the settlement. *Ibid.* 465.

The like, that the intended husband and wife shall each have their own separate estates ; an assignment of hers (being personal estate) to trustees, to uses. *Ibid.* 457.

The like whereby the father admits the intended husband to a share in trade ; the moiety of the lady's property settled to uses ; her parents advance money in lieu of legacies she is entitled to. 1 *Wms.* 1709. (*M. Duane*)

Agreement before marriage ; with assignment of part of the woman's personal estate, consisting of leasehold, bank-stock, India bonds, &c. to trustees, for her separate use and disposal ; power to sell, and place out the money at interest, and to fill up the number of trustees ; the husband covenants to leave her a third of his estate, if she survive. *Ibid.* 425. (*Wife's estate.*)

The like ; previous to the marriage of a captain in the East India service, with a citizen's daughter ; containing many dispositions as to the wife's portion, and husband's estate. *Ibid.* 445.

An agreement before marriage, that part of the wife's estate shall be at her disposal, as therein mentioned. *Ibid.* 454.

Marriage  
agreements  
*continued.*

Articles before marriage, containing an acquittance for the wife's portion provided for her by her father's settlement; and an agreement as to the disposition of part of an estate, coming to her from her grandfather; the same to be invested in a purchase of lands, to be settled with usual limitations. *Horfm.* 463.

The like; where the intended wife being entitled to certain provisions under her father's marriage-settlement, and her grandfather's will, the intended husband agrees to accept a sum of money in lieu of them, and on payment thereof to trustees, to release those demands, but not future contingencies. *Ibid.* 488.

The like; whereby the wife demises her jointure, and charges her personal estate to trustees for her separate use, &c. *Ibid.* 355.

The like; whereby part of the wife's portion under a settlement of equal date, being paid, the residue is agreed to be placed out by trustees for the benefit of the husband, wife, and younger children; the husband may have the money on settling an equivalent in land; indemnification against his father's will, and codicil; money and jewels under her mother's will to be at her separate disposal. *Ibid.* 498.

(*Freemen of  
London.*)

The like, before the marriage of a daughter of a freeman of London; her father covenants to pay a sum, in lieu of all portions, the custom, &c. and the husband to pay the like sum; these monies to be invested by trustees in a purchase of lands to be settled; directions for clauses in the settlement; provision for placing the money at interest till purchase made; indemnity, &c. to the trustees; even-



## AGREEMENTS.

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tual provisions for the wife in different cases. *Marriage  
agreements  
continued.*  
*Horfm.* 472.

Articles before the marriage of a freeman of London, a widower, who has a son living by a former wife: the husband covenants that his personal estate shall be liable to the custom; and that he will not make a purchase to defeat it: with other special circumstances. *Ibid.* 479.

The like, between a citizen of London (since the act concerning freemen's estates) and a widow, and her trustees; her leaseholds, East India bonds, South Sea stock and Annuities, plate and jewels, settled to be at her disposal: he to take the profits during their joint lives, towards housekeeping; she and their children to have the benefit of the custom of London, notwithstanding the act. *Ibid.* 482.

Articles of agreement after marriage to settle two houses in London, if recovered at law, to the uses of a family provision—the first *cestui que trust* are to bear charges, &c. 1 *Agreement  
after marriage.*  
*Bridgm.* 250.

### See SETTLEMENTS.

Articles of agreement for a separation between a husband and wife; the husband demises lands, &c. to provide her a maintenance; with a provisional increase on the death of his father and mother; his trustee covenanting to indemnify him against her debts. *Ibid.* 477. *Separation.*

Agreement (in a mortgage deed) that if mortgage money be taxed mortgagor shall pay an increase of interest. *Horfm.* 155. *Mortgage money.*

Agreement (in a deed) that an intended purchaser shall enter, and enjoy possession till de- *Purchases.*

Purchases  
continued.

fault in payment of purchase money on a certain day. 1 *Bridgm.* 297.

An agreement for re-purchasing an estate on a reconveyance being tendered by the former vendee. 2 *Ibid.* 476.

An agreement for the sale of an estate now in mortgage to the purchaser and another. The purchaser buys, subject to the other incumbrance, he is to be allowed his own money, and to pay a further sum, and to pay a rent charge during the life of the vendor. *Horfm.* 779.

For sale of lands by husband and wife, and her son by a former husband: agreement as to deductions to be made in the purchase-money, and from what time the purchaser shall enjoy. *Ibid.* 780.

For retaining part of the purchase-money for a moiety of a manor which was in mortgage; the other moiety belonging to a minor; also for purchasing his moiety eventually, &c. *Ibid.* 782.

For a purchase of lands, at a certain price, and to make a good title and conveyance within a certain time; and not to cut down timber, &c. in the mean time: the purchaser covenants to pay the money. *Ibid.* 788.

For the purchase of freehold and copyhold premises within a certain time, and to make a good title: part of the money being now paid. If a good title cannot be made, the premises to stand as a security for the money now advanced. *Ibid.* 794.

For the sale of a freehold estate (*Short*). 1 *Wms.* 1. (*Fazakerly*)

Agreement by a widow and son and heir, for the sale of lands to a purchaser. *Horfm.* 796. Purchases continued.

Articles for the purchase of a monastery, manor, &c. to be completed within a certain time ; provision in case of either party's default ; agreement for the vendor's taking off his stock, &c. *Ibid.* 816.

Articles for the purchase of a manor, &c. to be completed within a certain time ; the vendor not to cut down timber, nor make leases in the mean time. *Ibid.* 817.

Articles for the purchase of lands, &c. with many special agreements. *Ibid.* 818.

Articles for the purchase of lands and wood-grounds at so many years purchase ; and the timber at a certain sum ; an abatement to be made if the wood-ground falls short of measure. *Ibid.* 820.

Agreement as to part of purchase money deposited. A freehold being sold under a will for the benefit of six sisters and coheirs, and copyholds which descended to them being also included in the same purchase, one of the sisters and her husband refuse to join ; a sixth part of the purchase-money is deposited in the Bank, to indemnify the purchaser. *Ibid.* 797. (Indemnity to purchasers.)

Deed of agreements and covenants between two respective vendors of two houses (part of a greater estate) and the purchaser, in relation to an annuity to which possibly the purchased premises, along with others, might be liable. The vendors agree to indemnify the purchaser against arrears ; the annuity to be apportioned. *Ibid.* 799.

Agreement (by indorsement on a purchase deed) that several vendors of an advowson to



Purchases  
continued.

which the title is doubtful, shall leave part of the purchase money in the hands of the purchaser for a certain time, eventually to indemnify him. *Horfm.* 801.

An agreement on a purchase. Some real estates being devised to be sold for several purposes, and among others to raise a portion for a woman, she marries a minor; there are also some annuities charged. Upon sale of the estates (by agreement contained in the present draught) part of the purchase money is vested in South Sea Annuities, to indemnify the purchased lands against the portion, &c. *Ibid.* 803.

An agreement on a purchase, to vest part of the purchase money of lands in South Sea Annuities, to indemnify the purchaser under a will, until one of the legatees (who refused) should join in the conveyance, or the will should be proved in Chancery, &c. *Ibid.* 809.

Agreement  
as to a trust.

Agreement and declaration, in a deed, that premises conveyed upon trust are so conveyed in order to be sold with all convenient speed for payment of debts. 1 *Bridgm.* 12.

And that the money arising from the sale shall be so applied. *Ibid.* See DECLARATION.

Annuity.

## ANNUITIES.

To wife.

AN annuity secured to the wife in a settlement in lieu of jointure and dower. 1 *Bridgm.* 151.

Clause in a settlement, that a jointure annuity shall not be assigned. 1 *Bridgm.* 109.

See ACQUITTANCE, APPOINTMENT, ASSIGNMENT, BOND, COVENANT, GRANT, JOINTURE, RELEASE.

## APPOINTMENTS.

APPOINTMENT of annuities by a father to children, by virtue of power in marriage settlement. *Horfm.* 23.

By feme covert (indorsed on deed giving the power) of the future payments of her annuity to the husband ; as also the use of the lands out of which it issues. *Horfm.* 45.

Appointment by feme covert of an annuity secured on bank-stock, to a purchaser, in pursuance of a power. 1 *Pow. Wood*, 540.

Of an auditor, and solicitor for superintending the management of estates, and instituting or defending suits, &c. 2 *Bridgm.* 24:

Appointment of two new executors in the room of two deceased. 1 *Wms.* 146 (*Booth*).

Appointment of a gamekeeper. *Horfm.* 47.

Appointment of a jointure by way of settlement before marriage, by tenant for life under the will of his grandfather ; separate appointment of portions for daughter ; term created to raise pin-money ; some special covenants on the part of the husband relative to releasing legacies, and ratifying partition of estates. (*the whole well drawn*). *Horfm.* 33.

An appointment, in a settlement, of a jointure by virtue of a power. *Horfm.* 1060.

Appointment of a jointure by way of executing a power for that purpose, contained in a former settlement. *Horfm.* 421.

Appointment, by tenant for life under a will ; of wood grounds, &c. an increase of the wife's jointure, (*well drawn*). *Horfm.* 17.

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Appoint-  
ment.

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Annuities.

Auditor.

Executors.

Game-  
keeper.

Jointure.

Lands.

Appointment of lands by husband and wife, (as a declaration of the uses of a recovery) to him for life and her in fee; husband empowered to charge a sum by will; joint power of revocation. *Horfm.* 39.

Appointment of lands by trustees to a purchaser under a marriage settlement, with the consent of the tenant for life, for the selling or exchanging of the settled estates and purchasing others in lieu thereof. 1 *Pow. Wood*, 498, (I. I. P.)

*Note, observations on the form of appointments and the manner of executing powers annexed to this precedent.*

Appointment by husband and wife under a power in their marriage settlement of lands in fee to a purchaser. 4 *Wms.* 1557. (*Duane*).

Monies.

Appointment by husband of monies to arise by sale of lands and personal estate, for the benefit of his wife, daughters, &c. a variety of contingent dispositions, authorities, provisions and limitations; power for wife if she survive her husband; to vary the appointment, (*very special; and well drawn*) *Horfm.* 27.

Deed of appointment by feme covert (in pursuance of a power in her marriage settlement) whereby she appoints a part of settled monies to the use of the trustee in the settlement in consideration of his having advanced a like sum for the benefit of her son by a former husband. 1 *Wms.* 136, (\*\*\*\*\* *now a king's counsel.*)

Portion:

Appointment by a father under a settlement (and indorsed thereon) of a portion to be raised out of a subsisting term for the benefit



## APPOINTMENTS.

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of a daughter on her marriage, (*short*). *Horfm.* 21.

Appointment of a receiver of an estate by mortgagor and mortgagee thereof, with special matter relative to securing the interest. *Receiver.*  
*Horfm.* 310.

Appointment of a steward of a manor. 2 *Steward.*  
*Wms.* 521. (*T. W. W.*)

Appointment of a new trustee, of a marriage settlement in the room of one deceased. *Trustee.*  
1 *Wms.* 145. (*T. W. W.*)

Appointment by a father under a deed of settlement, of the trusts of a term which are declared to be to raise annuities for his children; proviso against molesting the trustee; power of revocation. *Trusts.* *Horfm.* 22.

Appointment by feme covert under a power, of a moiety of the reversion of lands, &c. to daughter for five hundred years, remainder to son in fee; the inheritance likewise charged with the payment of money to daughters. *Reversion.*  
*Horfm.* 24.

Appointment of an umpire by arbitrators. *Umpire.*  
2 *Wms.* 528. (*Webb*).

A short appointment of lands by deed poll indorsed on release; power to revoke, &c. *Horfm.* 15.

Appointment by deed poll of the uses of manors, &c. by feme covert under a power of revocation. *Uses.* *Horfm.* 16.

Appointment of new uses under a marriage settlement in the room of former uses revoked by the present deed. 4 *New uses.* *Wms.* 1583. (*Rivet.*)

Arbitration  
and award.

### ARBITRATION AND AWARD.

Arbitration

An arbitration deed by indenture. 2 *Bridgm.* 542.

An arbitrament, or award by deed poll, for payment of money due on bond ; cessation of actions ; cancelling a recognizance, and delivering up deeds. 2 *Bridgm.* 543.

A deed of reference to arbitration, of disputes relative to copartnership concerns. 2 *Wms.* 525. (*Webb.*)

Award.

An award, made by order of the Court of Chancery, for executing releases, and payment of costs. 2 *Bridgm.* 545.

An award that one party shall convey land and pay money to another ; suits to cease, and parties to execute mutual releases. *Horfm.* 163.

A deed of award relative to a copartnership. 2 *Wms.* 529. (*Webb.*)

) See AGREEMENT.

Assignment.

### ASSIGNMENTS.

Of an a-  
greement.

An assignment of an agreement for a lease to a purchaser of the assignors interest therein ; power of attorney to procure the lease, &c. 1 *Wms.* 473. (*Weston*).

Annuities.

Assignment in a mortgage, of several annuities by husband and wife. 1 *Bridgm.* 196.

Assignments of exchequer annuities. *Lil.* 474, 475. *Horfm.* 132. 1 *Wms.* 263. (*Filmer*).

The like upon trust to re-assign same ; *Horfm.* 133.

Re-assignment accordingly. *Horfm.* 134.

The like assignment from a surviving executor. 1 *Wms.* 265. (*Filmer*)

Assignment of an annuity under a will. 1 *Wms.* 327. (*Rivet*)

Assignment of an annuity secured on the half pay of a lieutenant, with a collateral security by bond, and letter of attorney to receive the same. 1 *Pow. Wood*, 574. (*I. I. P.*)

Assignment of an annuity, or rent charge as a security for re-payment of money borrowed; several trusts thereof declared. 1 *Wms.* 335. (*K.*)

Assignment of an assignment of lease of ground to be built upon. *Lil.* 499. Of an assignment.

The like of a marriage term in trust for the reversioner. *Horfm.* 1101.

Assignment, after forfeiture, of three bonds for performance of covenants and payment of money. 1 *Bridgm.* 118. Bonds, &c.

The like by an executrix. *Ibid.* 119.

Assignment of a statute-staple, in a release. 1 *Bridgm.* 89.

The like, in the assignment of a mortgage, for performance of covenants in such mortgage. *Ibid.* 256.

The like to protect the inheritance. 3 *Pow. Wood*, 426.

Assignment of bond and judgement, with letter of attorney. 1 *Bridgm.* 315.

The like by indenture. 2 *Ib.* 60, 134. (*the first specially and well drawn*).

Assignment in trust, of a recognizance in the nature of a statute staple extended, (*special recitals*), *Ibid.* 359.



Bonds, &c.  
continued.

Assignment of a judgment to one of the bail, in a writ of error, who advanced the money to the plaintiff. 2 *Bridgm.* 349.

Assignment of bond and judgment by executors and others in trust for creditors. *Lil.* 606.

Assignment of a bond by indorsement. *Lil.* 515.

Assignment of a bond and judgment to a trustee for a purchaser to protect the purchase from incumbrances. *Horsm.* 87.

Assignment of a bond of indemnity and monies due thereon by the obligee to a third person. 1 *Wms.* 269. (*Booth*)

Assignment of a bond as a collateral security for payment of money. 1 *Wms.* 275. (*Duane*)

Assignment of two bonds from an executor to one of the testator's sons upon presumption that the other is dead, with release, and covenant to refund if his brother be living. 1 *Wms.* 281. (*Wilbraham*)

Books.

Assignment of books (by deed poll) to a purchaser, under particular circumstances. *Horsm.* 47.

Bankrupts  
estate.

Assignment by assignees of a bankrupt to such bankrupt of the surplus estate after debts paid and commission superseded. 1 *Wms.* 208. (*Harpur*)

Assignment from commissioners, in a renewed commission of bankrupt to a new assignee, (*many recitals of bankrupt proceedings*) 1 *Wms.* 195. (*Hotchkin*)

Assignment by commissioners of bankruptcy, of the bankrupts effects to one creditor in trust for the rest, (*well drawn*) *Lil.* 520.

A similar assignment, (*some special covenants*).  
*Ibid.* 524.

Assignment of a term in two manors for payment of a particular debt, by trustees for payment of debts generally under particular circumstances. 1 *Bridg.* 112. Of debtors effects.

Assignment of lease in trust for discharging a debt, and maintaining and educating a child.  
*Lil.* 512.

Assignment of a fourth part of a ship and cargo (by a widow an executrix) in trust for the creditors of a deceased debtor; very special recitals, covenants and provisions, and letter of attorney. *Lil.* 596.

Assignment (indorsed on a dissolution of copartnership) from creditors, of the estate to one of the partners, of monies deposited in the hands of a trustee for their use; such partner having paid their several demands. 1 *Wms.* 192. (*Rivet*)

Assignment of leasehold estate (from an administration *de bonis non* of a trustee under a settlement after marriage, with the consent of *cestu que trusts*) to a purchaser, for the benefit of the creditors of the original settler who proved to be insolvent at the time of the settlement. 1 *Wms.* 176. (*Harpur*)

Assignment of effects in trust for creditors, (*many good covenants, &c.*) 1 *Wms.* 214. (*Fazakerly*)

Assignment of debts, &c. with power of attorney, (*well drawn*). 2 *Bridgm.* 28. Of debts.

Assignment of debts by way of mortgage, with a letter of attorney. *Lil.* 511.

Assignment of copartnership debts and effects from a partner retiring from business, to the other copartners. 2 *Wms.* 802. (*Duane*)

## ASSIGNMENTS.

Dye-house. Assignment of dye-house, and articles of copartnership. 2 *Bridgm.* 440.

Decree. Assignment of the benefit of a decree in chancery. *Lil.* 600.

Furniture. Assignment (in a deed of conveyance) of the  
&c. furniture of a house. *Horism.* 889.

The like of the stock, utensils, &c. of copper-work. *Ibid.* 920.

In a deed of copartnership, from one partner to the other of his household goods, estates and effects. 2 *Wms.* 710.

Legacy. Assignment by husband and wife, and a mortgagee of a legacy to a purchaser thereof; with letter of attorney, (*well drawn*). *Horism.* 50.

Assignment of a legacy as a payment of a debt due upon bond, with letter of attorney. 1 *Pow. Wood*, 809.

Monies. Assignment (in a release) by a co-devisee of estates, of monies to arise by the sale of his share thereof, being a seventh part. 3 *Wms.* 1247. (*Rivet*)

Pension. Assignment of a government pension to executors to receive till money due on bond to their testator is satisfied. 1 *Wms.* 331. (*Booth*)

Of leasehold interests as a collateral security. Assignment of lands (as a collateral security) to be void on the husband's settling a jointure upon the wife within a given period, (*many special recitals relative to the situation of the property*). 1 *Bridgm.* 79.

An assignment of houses and premises (held under letters-patent) as a security against incumbrances affecting other premises lately purchased, (*many special provisions*). *Lil.* 469.

Assignment of an outstanding term to a trustee, first as a collateral security to a mortgagee of the premises who advances part of



purchase-money; and then in trust for the purchaser, (*no covenants*). *Horfm.* 146. Leaseholds continued.

Assignment (in a mortgage deed) of leasehold interests to a mortgagee as a collateral security for payment of the mortgage-money. *Horfm.* 746.

Assignment of a term to trustees to secure or indemnify purchased lands against dower of the vendor's wife, and afterwards to attend the inheritance; the term originally created under a settlement. *Horfm.* 1102.

Assignment (in a grant) of leases, to a trustee for securing the payment of an annuity. *Horfm.* 388.

Assignment of leasehold premises as a collateral security for payment of an annuity for the life of the assignee. 1 *Wms.* 479. (*T. W. W.*) 4 *Ibid.* 1693. (*S. Salt.*)

Assignment of the half-pay of a lieutenant of marines for further securing an annuity with special covenants. 1 *Pow. Wood*, 572. *I. I. P.* See DEMISE.

Assignment (in a settlement) of leasehold premises by the executrix of a surviving trustee. 1 *Bridgm.* 110.

Assignment by one joint lessee to another of all his estate and interest in the lease. *Lil.* 509. Of leasehold interests to purchasers.

Assignment of leases by executors. *Lil.* 477.

Assignment of two indentures of lease by an administratrix and trustee. *Ibid.* 502.

Assignment of lease by administrator in trust to be reassigned, (*special recitals*) *Ibid.* 507.

Assignment by one to two of leasehold interest in a house in London, and of certain goods therein, (*well drawn*). *Horfm.* 57.

## ASSIGNMENTS.

Leaseholds  
continued.

Assignment of a college lease with licence of the lessors. *Horfm.* 96.

Assignment of the lease of a house in London. *Ibid.* 129.

Assignment of a lease on being discharged by the assignee from arrears of rent. 1 *Wms.* 390. ) (*Rivet*)

Assignment of leasehold interests in new built houses, &c. by lessees in building leases and their mortgagee; part of purchase money paid in discharge of the mortgage, the rest to assignees, (*a good precedent*). *Horfm.* 142.

Assignment of a new built leasehold house, &c. by the lessee builders to a purchaser. *Horfm.* 139.

Assignment of church leases to a trustee for a purchaser thereof in trust for the use of the assignees and the survivor for life, then for the purchaser; assignors to procure renewals during their lives, and in default thereof the trustee for the purchaser to procure the same. *Horfm.* 105.

Short assignment of a lease by indorsement thereon. *Ibid.* 113.

Assignment by a queen consort of a leasehold house, &c. to a purchaser. *Horfm.* 135.

Assignment of leases for years by an executor and residuary legatee to a lessee purchaser. *Ibid.* 109.

Assignment of leasehold premises from mortgagees, assignees of the equity of redemption, and a mortgagor, to a purchaser. 1 *Wms.* 369. (*J. H.*)

Assignment of leasehold premises (by indorsement) from an executrix to a purchaser

thereof, at a sale by auction, subject to rents and covenants. 1 *Wms.* 413. (*T. W. W.*) Leaseholds continued.

Assignment of leasehold premises from mortgagee and mortgagor to a purchaser. 1 *Wms.* 417. (*Browning*)

Assignment of leasehold premises from a mortgagee and the assignees of a bankrupt to purchasers thereof at a sale by auction. 1 *Ibid.* 430.

Assignment of leasehold premises from a mortgagor (late a joint-tenant of the premises) and mortgagee, to a purchaser. 1 *Ibid.* 440. (*Rivet*)

Assignment of leasehold premises from an executrix and a joint-tenant (with confirmation by the other joint-tenant) to a purchaser. 1 *Ibid.* 456. (*Rivet*)

Assignment of two leases held under a bishopric for three lives, to two purchasers thereof at a sale by auction, as tenants in common. 1 *Pow. Wood* 766.

Assignment (in lease and release) of premises from trustees under an act of parliament, and an heir at law, to a purchaser. 3 *Wms.* 1237. (*J. H.*)

Assignment of trust terms to a trustee for a purchaser; the terms originally created for raising money, &c. the trusts of which were afterwards performed, and the terms assigned to attend the inheritance. *Horfm.* 1111. Terms to trustees for purchasers.

Assignment of two several mortgage-terms to separate trustees, for a purchaser; recital of a will and decree in Chancery. (*special*) *Horfm.* 113.

Assignment of several mortgage-terms by



Of Terms  
continued.

trustees to a purchaser and his trustees. (*well drawn*) *Horfm.* 115.

Assignments of terms (in conveyances) to trustees for the benefit of purchasers. *Ibid.* 828. 829. 844. 935. 943. 948. 952.

Assignment (by indorsement) of a mortgage-term to a trustee for the benefit of a purchaser of the inheritance. *Ibid.* 1107.

A like assignment by indenture. *Ibid.* 1109.

Assignment of a term in the fourth part of manors, &c. by an executrix in trust, the *cestui que trusts*; and by an executrix, and administratrix, to a trustee for a purchaser of the inheritance; part of the consideration money to be paid by the purchaser to an infant when of age. *Ibid.* 1117.

Assignment of a term by a surviving trustee in a settlement, to a trustee for a purchaser of the inheritance. *Horfm.* 1120.

Terms to  
attend the  
inheritance.

Assignment of the remainder of a mortgage term to trustees to attend the inheritance of a purchaser. 2 *Bridgm.* 84.

Note, *A marginal observation against this deed, that it is to be signed and sealed, but not delivered.*

Assignment of a mortgage-lease to attend the inheritance for the benefit of an intended purchaser. 1 *Bridgm.* 230. 2 *Ibid.* 329.

Assignment of a mortgage-term before the condition broken, in trust to attend the inheritance. 2 *Ibid.* 352.

The like, (and confirmation) after condition broken by husband and wife. *Ibid.* 428.

Assignment of a mortgage-term (outstand-

ing in equity though merged at law) to attend the inheritance of a purchaser. 2 *Bridgm. continued.* 329.

Assignment of a mortgage-term in trust to attend the inheritance for a purchaser, with reference to bargain and sale to be enrolled. 2 *Ibid.* 450.

Assignment of a term, under a commission of bankruptcy, in trust to attend the inheritance. *Lil.* 516.

Assignment of a term to attend the inheritance; many recitals, and a special consideration. *Ibid.* 644.

Assignment (by executors of a mortgagee, and widow, daughter and heir of mortgagor,) of a mortgage-term in trust to attend the inheritance of a purchaser; a covenant for custody and production of deeds in a schedule. *Horfm.* 65.

Assignment by a mortgagee of a mortgaged term to attend the inheritance and the uses of a settlement. (*This deed contains also a conveyance in fee*) *Horfm.* 68.

Assignment, or transfer of mortgage-term by feme sole to a trustee of the new mortgagee, first to secure the mortgage-money, and then to attend the inheritance. *Ibid.* 94.

Assignment of a term (by indorsement) to attend inheritance. *Ibid.* 1116.

Assignment by mortgagor of a mortgage-term to a trustee to attend the inheritance of a purchaser; with confirmation by the mortgagor. 1 *Wms.* 291. (*Rivet*)

The like of several mortgage-terms. 1 *Wms.* 302. (*Duane*)

Assign-  
ments of  
mortgages.

Assignment of a mortgage-lease of a manor to an annuitant of the same premises. (*very short*) 1 *Bridgm.* 55.

Assignment of a mortgage-lease to a trustee for the use of the mortgagee. (*short*) 1 *Bridgm.* 92.

The like for the use of the mortgagor, the mortgage being paid off. *Horism.* 1101.

Assignment of an assignment of a mortgage of the remainder of a term of 500 years to trustees in trust for the reversioner. 2 *Bridgm.* 84.

The like of a mortgage term and of the money due thereon by the widow and executrix of the mortgagee in trust for herself, children and others. 2 *Bridgm.* 401.

Assignment of two several indentures of mortgage made under a decree of the Court of Chancery. (*very special recitals*) *Lil.* 677.

Assignment of a mortgage by the trustee of a Roman Catholic by which it is agreed that the interest in arrear shall be made principal. 1 *Fow. Wood.* 833. (*N. Pigot*).

Assignment and surrender (by indorsement) of a mortgage-term to a purchaser of the inheritance. (*very short*) *Horism.* 82.

Assignment of several mortgages for years and in fee, and also leases, by an assignee and his trustees to a new assignee and his trustees. (*this assignment also contains a release in fee*) *Ibid.* 82.

Assignment (by trustees, and *cestui que trust*, and wife) of a mortgage term in trust for a purchaser to protect, &c. made by deed-poll indorsed. *Ibid.* 93.



## ASSIGNMENTS.

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Assignment of a mortgage-term (by deed poll indorsed) to trustees for the mortgagor to attend inheritance (the mortgage being satisfied) and also of two leasehold interests to the mortgagor himself. (*short, but accurate*) *Horsm.* 114. Mortgages continued.

Assignment (by indorsement) of mortgage-term by a mortgagee to his own trustee himself to prevent a merger on his purchasing the inheritance. *Ibid.* 1119.

Assignment by way of transfer of a former mortgage to the use of the person who now advances the money. 1 *Bridgm.* 60. 255. Assignments by way of transfer.

The like with enlargement of the term from 99 to 1000 years. *Ibid.* 254.

The like wherein the grantee of the inheritance joins with the old mortgagor and mortgagee. 1 *Bridgm.* 285.

The like of a lease of 500 years of a deed-poll of release (old mortgagor, mortgagee, and grantee of the inheritance join in conveying to the new mortgagee). (*well drawn*) *Ibid.* 285.

Assignment by way of transfer of a mortgage (where a further sum is advanced) of premises insured, together with the policy of insurance. 2 *Ibid.* 354.

Assignment or transfer of a mortgage by a husband and wife to a new mortgagee. 2 *Ibid.* 428.

Assignment of a mortgage for 1000 years with fresh demise. (*special and well drawn*) *Lil.* 657.

Assignment by way of transfer of a mortgage in fee as to part, and for years as to other part (many parties and a variety of recitals oc-

Mortgages  
continued.

caſioned by meſne aſſignments, deaths, &c.)  
*Horſm.* 60.

Aſſignment or transfer of ſeveral mortgage-terms to a maſter in Chancery and others; many recitals of deeds, proceedings in Chancery, &c. (*very ſpecially drawn*) *Ibid.* 74.

Aſſignment or transfer (by leaſe and re-leaſe) of a mortgage in fee, by a purchaſer in fee and aſſignee of a former mortgagee; covenant againſt cutting timber. *Ibid.* 89.

Aſſignment or transfer of a mortgage. 1  
*Wms.* 230. (*Maire*)

Aſſignment or transfer of a mortgage from the original mortgagee to a new mortgagee, with confirmation thereof by the mortgagor on a further ſum being advanced by the preſent mortgagee; a covenant to levy a fine. 1 *Wms.* 316. (*Booth*)

The like of eſtates in Ireland, with further grant for ſecuring more money now advanced; a truſt to ſell in default of payment, &c. (*very long and ſpecial.*) 3 *Pow. Wood*, 413. (*I. 1. P.*)

A ſimilar aſſignment or transfer (*with obſervations annexed*) 1 *Pow. Wood*. 835.

Aſſignment of the equity of redemption of mortgaged premiſes from an adminiſtrator of the mortgagor to the mortgagee who has purchaſed the ſame. 1 *Wms.* 242. (*Weſton*)

Aſſignment by a mortgagor of the equity of redemption and releaſe by a ſecond mortgagee of his intereſt to the firſt mortgagee. 1 *Wms.* 254. (*Rivet*)

Aſſignment of the equity of redemption of leaſehold premiſes to a purchaſer under a decree of the Court of Chancery. 1 *Wms.* 395. (*Fogg*)

Assignment of a term by three trustees to one trustee for the benefit of a remainder-man. *Mortgages continued.*  
*Lil.* 489.

Assignment of the fourth part of a ship, and cargo, by a widow and executrix in trust for the creditors of her late husband, (*many very special recitals, covenants and provisions, and a letter of attorney*). *Lil.* 596.

Assignment of lease of a farm and tolls, (*well drawn*). *Lil.* 494.

Assignment of a demise made to trustees for securing daughters portions. *Lil.* 696.

Assignment of leasehold interests by surviving trustees of a charity, to two persons in trust to reassign the same to such trustees with other new trustees in order to fill up the number. *Horfm.* 200.

Re-assignment accordingly (by indorsement). *Ibid.* 203.

Assignment of leasehold premises from an administrator *de bonis non* and a *cestui que trust*, to a mortgagee thereof absolutely, after foreclosure, a further sum however being advanced. 1 *Wms.* 350. (*Duane.*)

Assignment of leasehold premises from mortgagee to mortgagor thereof, to prevent further expence in a suit instituted for foreclosure; with mutual releases, and agreement to dismiss the bill. 1 *Wms.* 462. (*Browning.*)

A short assignment (by deed poll indorsed) of a leasehold from a father to a son. *Wms.*

Assignment to a *cestui que trust*, by an assignee of an executor, of a moiety of the fourth part of a lease of a lighthouse built under the



authority of a patent, (*concisely and well drawn*).  
*Horfm.* 122.

Assignments  
 in trust for  
 children,  
 &c.

Assignment of a lease upon trust for the benefit of the assignor, his wife and children.  
*1 Bridgm.* 203.

Assignment of a term to trustees for the benefit of daughters under a settlement, in consequence of there having been no son of that marriage, and the original purposes of the term having been satisfied. (*A great variety of common and special matters, and the whole well drawn*). *Horfm.* 98.

Assignment by a husband after marriage of a ferry, in trust for the wife if she survive him. *1 Bridgm.* 134.

Of leasehold premises and household goods previous to a marriage upon trust for the benefit of wife and children. *1 Wms.* 227. (*Wilbraham*)

Assignment on marriage settlement of part of the lady's personal estate (being leasehold interests) to trustees for her separate use. *Horf.* 426.

The like in marriage articles of leaseholds, East India bonds, South-Sea stock, and annuities, plate, jewels, &c. *Horfm.* 483.

Assignment  
 of policy.

Assignment of policy of insurance in the transfer of a mortgage. *2 Bridgm.* 356. *Horfm.* 731. *3 Wms.* 1047. (*T. R.*)

Residues.

Assignment of a daughter's residuum of her father's and personal estate to her brother on his advancing a marriage portion for her. *Horfm.* 48.

Assignment of residuary share of personal estate by one executor to another; with power of attorney. *1 Wms.* 165. (*Filmer*)

The like by a residuary legatee to a purchaser. 1 *Wms.* 170. (*Rivet*)

Assignment of reversionary interest in South-Sea annuities under an order of Chancery. (*Special redtals and covenants, well drawn*). *Horism.* 53. Assignment of reversion-  
sions.

The like, and of a leasehold estate to which the assignor was entitled under a marriage-settlement, with power of attorney. 1 *Wms.* 154. (*Rivet*)

Assignment of a trust by a mortgagor-trustee to the *cestui que trust*. 1 *Bridgm.* 253. Trusts.

Short assignment by deed poll, of a contingent trust for raising a sum of money for the benefit of wife and children. 2 *Bridgm.* 415.

For assignments by way of mortgage, See MORTGAGE.

### ATTESTATION.

ATTESTATION of a deed executed by virtue of a power of attorney for that purpose. 1 *Wms.* 175. Attestation.

### ATTORNEY.

See LETTERS OF ATTORNEY. Attorney.

### ATTORNMENT.

THE form of attornments. 2 *Bridgm.* 53. 466. *Lil.* 515. Attorment.

### BARGAIN AND SALE.

SHORT bargain and sale by a tenant in tail to be enrolled, with covenant to suffer a recovery. 2 *Bridgm.* 328. Bargain and sale.  
To be en-  
rolled.

## BARGAIN AND SALE.

Conveyance to a purchaser of an estate in mortgage, made by bargain and sale to be enrolled, accompanied with lease and release, and assignment of the mortgage term to attend the inheritance. 2 *Bridgm.* 450 454. 456. 457.

A bargain and sale (by indenture enrolled) of the third part of a manor, &c. (*short*). 2 *Bridgm.* 454.

A short bargain and sale of premises to be enrolled. 2 *Bridg.* 322. 2 *Wms.* 531. (*I. H.*)

Bargain and sale to be enrolled, from the assignees of a bankrupt, a tenant by the curtesy, and tenant in tail, to make a tenant to the freehold for suffering a recovery. 2 *Wms.* 559. (*Rivet*)

To precede  
a release.

Bargain and sale for six months, to enable bargainor to release in fee. 1 *Bridgm.* 33, 83, 278, 279. 2 *Ibid.* 334, 456. *Lil.* 544. *Horf.* 170. 2 *Wms.* 566. (*T. W. W.*)

The like of a messuage and tithes (*specially drawn.*) *Lil.* 543.

To purchasers,  
&c.

Bargain and sale in fee by husband and wife of the wife's lands, she being under age, to a purchaser; covenant that wife, or her heir shall levy a fine when of age. 1 *Bridg.* 162.

Bargain and sale by executors in pursuance of a previous assignment made by the testator, covenant to levy a fine, (*well drawn*). 2 *Bridg.* 161.

A bargain and sale in fee of messuages, lands, &c. Covenant to levy a fine, (*well drawn*). 2 *Bridgm.* 323.

A bargain and sale of lands by the owner of the estate, and trustees under an act of par-



liament, with reference to a deed of release thereof. *Horfm.* 165.

Bargain and sale, and grant and confirmation, of manors, woods, and quit rent to a mortgagee thereof in fee, (*no covenants*). *Horfm.* 167.

Bargain and sale from a mortgagee and mortgagor to a purchaser. 2 *Wms.* 533. (*T. H.*)

Bargain and sale from the surviving assignee of a bankrupt, and the bankrupt, to a purchaser. 2 *Wms.* 536. (*Rivet—Strickland*)

Bargain and sale of an estate tail from the commissioners, in a renewed commission of bankruptcy, to a new assignee, 2 *Wms.* 539. (*I. H.*) (*a good precedent*)

A bargain and sale of a jewel. 2 *Bridg.* 63. Jewel.

Bargain and sale by a man and his wife of a reversion, reversion to a tenant for life; covenant to levy a fine. 1 *Bridgm.* 237.

Conveyance by deed to be enrolled of the reversion of lands to a purchaser, (a term therein being in his trustee) 2 *Bridg.* 398.

A bargain and sale of a reversion for 500 years, by way of mortgage, covenant to levy a fine and suffer recovery. *Ln.* 685.

Bargain and sale of a reversion from an heir at law, to a devisee in pursuance of directions in a will. 2 *Wms.* 556. (*Rivet*)

Bargain a sale of woods upon trust that bargainees shall make sale thereof for payment of bargainors debts; (*very short and without covenants*). 1 *Bridg.* 137. Upon trust.

Bargains and sales (in other deeds) to trustees for long terms of years. *Horfm.* 341. 352.

## BARGAIN AND SALE.

Bargain and sale and grant of fee-farm rents to trustees for a feme covert, (*a good deed.* *Horfm.* 391.

Bargain and sale of a freehold estate, to two persons in trust for one of them; a warranty from the bargainor. 2 *Wms.* 555. (*Rivet*)

To make  
tenant to  
*præcipes.*

Bargain and sale to make a tenant to the *præcipe* for suffering a recovery. 1 *Bridgm.* 179. 2 *Ibid.* 121.

The like with covenant to levy a fine, and a declaration of the uses of both. (*well drawn.*) 1 *Bridg.* 203.

Bargain and sale of grounds, &c. to make a tenant to the *præcipe* for suffering a recovery with double voucher for the use of the creditors of a bankrupt, (*well drawn.*) *Lil.* 576.

Bargain and sale of lands by a mortgagee and mortgagor and his wife, to make a tenant to the *præcipe* to suffer a recovery, to a purchaser. *Horfm.* 164.

Bargain and sale, grant and release of messuages, &c. in order to make a tenant to the *præcipe* for suffering a recovery thereof to the grantors in fee; with the particular mode of suffering the recovery set forth. *Horfm.* 168.

Bargain and sale to make tenant to the *præcipe* to suffer three recoveries of manors, lands, &c. in three several counties, made in pursuance of covenant for further assurance in a mortgage deed, and to rectify a mistake, by misnomer, in three prior recoveries, the use as to the mortgaged lands to be for corroborating mortgagee's term, and afterwards, with the residue, to the use of the recoveror and his heirs, (*special and well drawn.*) *Horfm.* 171.

## BILLS OF SALE.

Bill of sale.

A BILL of sale of goods by way of mortgage with warranty. 2 *Bridg.* 541.

The like of corn and hay. *Lil.* 655.

An absolute bill of sale of household goods, stock, &c. *Lil.* 687.

## BONDS.

Bond.

A BOND for payment of money by instalments with reference to an indenture. 2 *Bridg.* 130.

For pay-  
ment of  
money.

Bond for payment of money at several times, with interest for the same. 2 *Wms.* 579. (*Weston*)

Bond for payment of money after a person's death. 2 *Wms.* 579. (*T. W. W.*)

The like in pursuance of a marriage settlement. *Ibid.* 585. (*T. W. W.*)

Bond for payment of money by a corporation. 2 *Wms.* 595. (*Rivet.*)

Bond for payment of money that may be received by the sale of goods delivered to a broker, and for redelivering such as shall not be disposed of. 2 *Wms.* 636. (*T. W. W.*)

Bond from a surviving partner to pay to the executrix of the deceased a share of the effects in pursuance of articles of copartnership. 2 *Wms.* 574. (*Weston*)

Bond for payment of a sum of money to a person if living with the obligor at the time of his decease. *Horfm.* 198.

Bond that an executor will (agreeably to private instructions from his testator) pay a



certain sum to the testator's daughter on the failure of certain expectancies. *Horfm.* 187.

Bond for payment of money, in pursuance of a will, to children on attaining 21; interest to the mother in the mean time, and an annuity to her in case of their deaths. *2 Wms.* 581. (*Fogg.*)

Bond to trustees to keep down interest of money charged on premises about to be settled. *Lil.* 579.

To keep  
down in-  
terest.

Bond from a trustee to pay the interest of a sum of money during the life of the *cestui que use*, and afterwards to appointment. *Horfm.* 186.

Relative to  
purchase  
money.

Bond from a purchaser to apply part of the purchase-money left in his hands for the benefit of persons entitled thereto, under a covenant and a decree in Chancery. *Horfm.* 192.

Bond from purchaser to pay part of the purchase-money agreeably to the directions of a will, and to indemnify the vender therefrom. *Horfm.* 193.

Bond from a vendor of lands to repay the purchase-money, and reconvey if the purchaser should reject the purchase within a given period. *Horfm.* 196.

Refund le-  
gacy.

Bond to refund a legacy in case there prove a deficiency of assets. *2 Wms.* 640. (*Filmer*)

Replace  
stock.

Bond from one who had borrowed bank stock, to replace it within a certain time, and to be answerable for the dividends becoming due in the interim. *Horfm.* 184.

Bond, on transferring South Sea annuities to replace the same by a given day, and pay

dividends in the mean time. 2 *Wms.* 646.  
(*T. W. W.*)

Bond for payment of an annuity for life and charging it upon lands within a year. *Payment of annuities.*  
*Horfm.* 174.

Bond from vendors of land and their surety to a purchaser for payment of an annuity charged on the lands sold. *Horfm.* 191.

Bond for payment of an annuity during another's life. 2 *Pow. Wood.* 91. 2 *Wms.* 575.  
(*P. Williams*)

A similar bond, with recitals. 2 *Pow. Wood.* 91.

Bond for payment of an annuity during the joint lives of two persons, and of a sum of money if one die in the life-time of the other. 2 *Wms.* 576. (*T. W. W.*)

Bond for payment of an annuity during ten years, and a certain sum of money at three several payments. 2 *Wms.* 577. (*T. W. W.*)

Bond for payment of an annuity to a married woman. 2 *Wms.* 593. (*B.*) *Concerning marriages.*

Bond from the husband to trustees in a marriage settlement for repayment of settlement-money lent by them to him till it can be laid out in the purchase of lands. *Horfm.* 176.

The like, only that the money is differently situated. *Ibid.* 178.

Bond from the lady's father in a settlement to the intended husband for payment of an additional portion within six months after the obligor's death. *Horfm.* 180.

Bond from the uncle of the intended husband to trustees in a settlement, to settle or devise a reversionary estate for the benefit of

Marriage  
bonds con-  
tinued.

the husband and wife, and issue, in the manner therein mentioned, or to pay a sum of money in lieu thereof. *Horfm.* 182.

Bond from the lady's father to the husband (after marriage) conditioned that a god-mother will, in pursuance of a former promise, leave her a certain sum of money in augmentation of her portion. *Horfm.* 186.

Bond from an intended husband to the lady's father to pay her an annual sum for her separate use. *Horfm.* 188.

The like bond to a trustee of the lady for the independent enjoyment and disposal of effects mentioned in a schedule thereon indorsed. *Horfm.* 188.

Bond from an intended husband to the lady's father for regular payment of pin-money. *Ibid.* 199.

Bond on a marriage for payment of a sum of money to the wife if she survive her intended husband. 2 *Wms.* 586. (*P. Williams*)

A similar bond with additional provisions. *Ibid.* 590. (*Rivet*)

For perfor-  
mance of  
covenants.

Bond from a man and his wife and another, for the performance of covenants in a deed. 2 *Bridg.* 342.

Bond for performance of covenants, and also for payment of mortgage-money. *Ibid.* 348.

Bond from the purchaser of leasehold premises, to perform covenants in the original lease, and save harmless the obligees, who are the representatives of an assignee. *Horfm.* 175.

Bond from one to three to perform covenants, and pay a sum of money by instalments. *Horfm.* 190.



An obligation (in a deed of covenant) under a penalty to perform covenants, &c. *Horfm.* 288.

Bond for the due performance of articles under an apprenticeship. *Horfm.* 187. Apprenticeship.

Bond from the father to provide his son, an apprentice, with cloaths, &c. and for his fidelity. 2 *Wms.* 648. (*T. W. W.*) See other bonds relative to apprentices, post. p. 44.

Bond for the regular accounting, &c. of a receiver of rents under power of attorney annexed. *Lil.* 694. To account.

Bond from the foreman in a shop (together with his surety) duly to serve and account, and that he will not set up or serve another within a certain time and distance. *Horfm.* 189.

Bond from one appointed to get in debts, &c. duly to account, &c. *Horfm.* 190.

Bond duly to account on being chosen renter-warden of a company. 2 *Wms.* 637. (*Rivet*)

The like on being empowered to collect in debts. *Ibid.* 639. (*T. W. W.*)

Bond for the fidelity of a journeyman. *Ibid.* 654. (*T. W. W.*)

The like for the fidelity of a clerk. *Ibid.* 656. (*T. W. W.*)

Bond to save harmless an executor from the testators debts. 2 *Bridg.* 21. Indemnity.

Bond to save harmless a co-obligee from covenants, &c. in a bond and deed. 2 *Bridg.* 364.

Bond from vendor to a second purchaser of lands, &c. to save him harmless from con-

Indemnity  
continued.

tingent portions charged thereon by the will of the vendor's father. *Horfm.* 177.

A bond from such purchaser to pay a part of the purchase-money left in his hands to indemnify him against the said portions in the event of their not becoming chargeable. *Ibid.* 185.

Bond from a vendor to indemnify vendee against the issue of a suit depending concerning the premises. *Horfm.* 192.

Bond from an executrix of a lessee and her surety to an under lessee at a lower rent, that she will pay to or indemnify him against the surplus difference. *Horfm.* 179.

Bond of indemnity from the grand-mother of a clerk to the South Sea company, to save harmless the surety of such clerk against loss on account of his obligation. *Horfm.* 181.

Bond from one co-heir to the other (having purchased the other's moiety of the estate) to indemnify him against the executor's debts. *Horfm.* 194.

Bond from a mother-in law to her son-in-law to indemnify him against a sum of money for which his wife is answerable, under circumstances arising before marriage. *Horfm.* 194.

Bond from a mortgagor to his surety to indemnify him against the consequences of his obligation in having guaranteed the regular payment of interest to the mortgagee. *Horfm.* 196.

Bond from grantor of fee-farm rents to indemnify a purchaser against the possible claims of one of the grantor's children under a will. *Horfm.* 197.

Bond to indemnify one of co-obligors against the consequences of the bond. *Horism.* 198. Indemnity continued.

Bond of indemnity from creditors of a deceased partner to a surviving partner on his paying to them the amount of bills in which a third person had an interest, and to refund, if same be recovered against him by such third person; very full recitals relative to the transaction. 2 *Wms.* 605. (*Rivet*)

A proposed variation in the indemnifying part of the last bond. *Ibid.* 614. (*Rivet*)

Bond of indemnity to a purchaser against the wife's dower. 2 *Wms.* 615. (*Fogg*)

Counter-bond of indemnity to one who had entered into a bond to the bank of England to indemnify them in paying the value of a lost note. 2 *Wms.* 617. (*T. W. W.*)

Bond of indemnity on paying money to the widow of the deceased creditor before she had administered. 2 *Wms.* 618. (*Rivet*)

Bond of indemnity on paying money due on a promissory note, which was lost. 2 *Wms.* 621. (*Rivet*)

Bond of indemnity on paying money due on a promissory note which was lost. 2 *Wms.* 623. (*T. W. W.*)

Bond of indemnity, and for peaceable enjoyment on surrendering of copyholds. 2 *Wms.* 624. (*Duane*)

Bond on assignment of lease to indemnify assignee from covenants, &c. in the original lease. 2 *Wms.* 627.

Bond to indemnify one of two executors on account of monies misapplied by the other executor. 2 *Wms.* 630. (*Melmoth*)



Bond of indemnity on a trustee's permitting a father to retain in his hands monies directed to be put out to interest for the benefit of children. 2 *Wms.* 633. (*Fogg*)

Bond to indemnify a master from the covenants of the indenture of apprenticeship, on his consenting to give up the apprentice before the expiration of his term. 2 *Wms.* 652.

Bond to the Apothecaries Company not to make free of their Company an apprentice who has quitted his master's service. 2 *Wms.* 650.

Bond to permit an apprentice to quit his apprenticeship before the full completion of his term. 2 *Wms.* 651. (*Rivet*)

To abide  
an award.

Bond to abide by an award, or umpirage. 2 *Bridg.* 363.

Bond for abiding the award of arbitrators respecting differences depending in Chancery about the purchase of an estate. 2 *Wms.* 658. (*Weston*)

To procure  
release.

Bond from the vendor of lands to a purchaser to obtain a release of a sum of money charged thereon, in lieu of one supposed to be lost. *Horism.* 199.

Of separa-  
tion.

Bond for suffering wife to live apart from the obligor, her husband, and retain her present effects. 2 *Wms.* 596. (*Maire*)

A similar bond. *Ibid.* 599. (*Filmer*)

For secrecy

Bond for preserving secrecy for having procured a person to be appointed on the list of half-pay officers. 2 *Wms.* 677.

*Note*, An opinion of T. Warren on the validity of this bond. *Ibid.* 679.

Responden-  
tia.

A respondentia bond on a voyage to the East Indies. (2 *Wms.* 680.)

## COMPOSITION.

45

Bond for quiet enjoyment by a purchaser, *Bonds for*  
against a man and his wife, the vendors. quiet en-  
*Horfm.* 175. joyment.

Bond from the vendor of an advowson, and  
his sureties to the purchaser thereof for quiet  
enjoyment. *Horfm.* 200.

Bond for peaceable enjoyment of an estate  
sold on a doubtful title. 2 *Wms.* 601. (*T.*  
*Warren*), and see ante, p. 43.

Bond that a female infant shall, when of *For further*  
age, make further assurance of lands sold by assurance.  
the advice of her friends. 2 *Bridg.* 94.

Bond that an infant when of age shall con-  
vey his interest in an estate, to the new pur-  
chaser. 2 *Wms.* 643. (*B—e*)

## CERTIFICATE.

Certificate.

CERTIFICATE of an assignment for sub-  
sidies. 2 *Bridgm.* 50.

Certificate by a Baron of the Exchequer  
that certain persons have duly taken the oaths  
of allegiance, &c. *Lil.* 691.

## COMPOSITION.

Composition.

DEED of composition with creditors, by  
which they agree to take five shillings in the  
pound in lieu of their just demands. *Lil.* 610.

Creditors.

A deed of composition, whereby the debtor  
assigns his effects to trustees for the benefit of  
his creditors; letter of attorney, letter of  
licence, and many good provisions. 2 *Pow.*  
*Wood*, 239.

Another with many special recitals and  
covenants relative to copartnership matters,  
with an assignment of effects and dissolution

## CONFIRMATION.

of copartnership, (*well drawn*). 2 *Wms.* 696. (*W. Fogg*).

Another less special. *Ibid.* 719. (*Fazakerly*).

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Confirmation.

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## CONFIRMATION.

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Mortgage.

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A DEED of confirmation (and release) of a mortgage by way of security for a further sum advanced, (*special*) *Lil.* 669. See also title RELEASE.

The like of mortgage deeds, by a party who had not executed them. The mortgagee covenants (in case of punctual payment) to accept of a reduced interest. *Horfm.* 233.

Jointure.

A confirmation of a jointure; by indorsement on a deed of appointment thereof. *Horfm.* 231.

Will.

A confirmation of a will of lands and goods, by the heir at law to a devisee (who is also executor); likewise a bargain and sale to be enrolled of the same lands. *Horfm.* 231.

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Copartner-  
ship.

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## COPARTNERSHIP.

See AGREEMENTS. (p. 3. margin)

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Covenant.

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## COVENANTS.

Introduc-  
tion.

THE beginning or introductory part of a joint covenant to one person. 2 *Pow. Wood*, 410.

The like of a covenant joint and several. *Ibid.*

The like of a several covenant. *Ib.* 410. 411.

The like where each party confines himself to his own portion of an estate. *Ibid.* 411.



The like where husband covenants for himself and wife. 2 *Pow. Wood*, 411.

Covenant that a deputy shall account with his principal quarterly. *Lil.* 472. To account

Covenant to make oath of the truth of accounts if required. *Lil.* 472.

Covenant for granting an acquittance upon the close of a fiduciary transaction. *Lil.* 472. Acquittance.

An indenture of covenant by which an administrator binds himself not to intermeddle with any of the goods, &c. of the testator's widow. 2 *Bridgm.* 168. Administrator.

Covenant to procure an admittance to copyhold premises. *Horfm.* 518. Admittance

Covenants usually inserted in the grant of an annuity. *Lil.* 787. 2 *Pow. Wood*, 476. Annuities.

The like in an assignment of an annuity. *Ibid.* 478.

Deed of covenant that the grantor of an exchequer annuity shall receive the same during his life, with remainder to another. *Lil.* 476.

A covenant (by indenture) from an heir apparent to grant an annuity after the death of his father, to the covenantee for his life and the life of his nominee; the deed to be void if the father survive the son. *Horfm.* 11.

Covenant (in a settlement) for payment of an annuity for life. *Horfm.* 1070.

Covenants (special) in the assignment of an officer's half pay for securing an annuity. 1 *Pow. Wood*, 574.

Covenant in the grant of an annuity, that

Annuities  
continued.

the premises shall be liable to distress. 1 *Bridg.* 245.

Covenant for a *nomine pœnæ*, in case of failure in payment of an annuity. *Lil.* 787.

Other proper covenants in an annuity deed. *Ibid.*

Covenant to apportion an annuity if recovered. *Horfm.* 800.

A deed of covenant by a son ; to maintain his mother, or in case she shall chuse to live from him, to pay her an annuity, in consideration of a sum in gross, paid to him by a third person. *Horfm.* 296.

Covenant (in a grant) to discharge a rent charge annuity from all taxes, &c. 1 *Bridg.* 79. 246.

Appoint-  
ment.

Covenant that a releaser has not joined in an appointment in pursuance of a power in a settlement. 2 *Pow. Wood*, 429.

Attornment

Covenant (in a mortgage) to procure an attornment of tenants. 1 *Bridgm.* 63.

Award.

Covenant to abide an award in case of controversy. *Lil.* 626.

Bailiff.

A deed of covenant between a lord and his bailiff as receiver of fines, &c. and clerk of the market, with all proper provisions. *Lil.* 593.

To convey.

Covenant to convey premises on receipt of a certain sum. 1 *Bridg.* 297.

Covenant to convey the moiety of estates to the grantee for life. 2 *Wms.* 713.

Creditors.

Covenant for payment of debts to creditors by instalments. *Lil.* 604.

That creditors shall not sue unless default made. *Lil.* 604. Creditors continued.

That debtor will set forth a full account of his debts, credits and effects. *Ibid.*

Covenant (in assignment of term for payment of debts) that if debts not paid by such a day, trustees may sell. 1 *Bridgm.* 114.

Covenant that mesne profits of estates conveyed for payment of debts, shall go to pay interest thereof. 1 *Bridgm.* 114.

Covenant from assignee under commission of bankruptcy, to get in debts and dispose of effects to the best advantage. *Lil.* 522.

That he will account to the commissioners on request. *Ibid.*

And assign over the surplus of the effects. *Ibid.* 523.

Covenant that an assignee under commission of bankrupt, will enter upon the real estates of bankrupt, and sell the same to the best advantage. *Lil.* 527.

That he will on request set forth the estates of the bankrupt come to his hands and assign over the surplus. *Ibid.*

And will pay to the commissioners all monies by him received, (saving lawful deductions). *Ibid.*

Covenant by one partner for the payment of the partnership debts, and to indemnify the other partner therefrom. 2 *Wms.* 810.

Covenant that creditors will contribute proportionally to the expences of suits. *Lil.*



## COVENANTS.

Creditors  
continued.

Covenant that the assignor of debts will further the payment of them to the assignee. *Lil.* 512.

Covenant that an executrix has not done nor will do any act to defeat a provision for intestate's creditors, but will promote the object of such provisions. *Lil.* 602.

Covenant relative to the disposition of monies to be recovered for the benefit of contributing creditors. *Lil.* 603.

Covenant in a deed of composition with creditors, that the debtor will not revoke or annul the powers, &c. thereby given, nor hinder the execution thereof. 2 *Pow. Wood.* 241.

Covenant by a debtor, in a deed of composition, that he will make a full discovery of his effects to the trustees. 2 *Pow. Wood,* 241.

A covenant from creditors to accept a composition. 2 *Wms.* 717.

Covenant from creditors, to indemnify one of two copartners from the defaults of the other. 2 *Wms.* 718.

Covenant (in a deed of composition) by creditors to deliver up their old securities on receiving other securities for payment of the composition-money. 2 *Wms.* 724.

Decree.

Covenant to obtain a decree in chancery. *Lil.* 470.

Fines and  
recoveries.

Covenant to levy a fine. 2 *Bridgm.* 106.

To suffer a recovery. *Ibid.*

The like with treble voucher. *Ibid.* 125.

The like with double voucher, at a court baron. *Ibid.* 82.

Covenant to levy a fine and uses thereof declared. *Lil.* 776. 790. Fines, &c.  
continued.

A several covenant from a man and his wife and two others, to levy a fine and suffer recovery of a manor, advowson, &c. to the use of a feoffee. 1 *Bridgm.* 26.

Covenant to levy a fine, *sur conusance de droit come ceo*, to enure to the confirmation of a mortgage lease. 1 *Bridgm.* 33.

The like with special covenants as to the enurement of the fine. *Ibid.* 42.

A deed of covenant by the heir of a mortgagor and others to levy a fine as a security of a debt on mortgage, under special circumstances, and for performance of an award; the uses of the fine fully declared, with good covenants (*the whole special, and well drawn*). 1 *Bridgm.* 66.

Covenant from a mortgagor that he and wife will levy a fine, *sur conusance de droit come ceo*. 1 *Bridgm.* 99. 2 *Ibid.* 163. 504.

The like, *sur concessit*. *Ibid.* 197.

The like of a recovery. 2 *Ibid.* 106. 197.

Deed of covenant to suffer a recovery with treble voucher to confirm a mortgage term and bar intails, (*well drawn, and good covenants*). 2 *Bridgm.* 123.

A covenant to levy a fine of wood grounds to the use of the cognisee in fee. *Lil.* 539.

Covenant in a mortgage to levy a fine and suffer a recovery to the use of the mortgagee. *Lil.* 686.

Covenant to levy a fine in confirmation of a mortgage. 1 *Bridg.* 33. 42.

Fines, &c.  
continued.

Covenant to suffer a recovery to the use of a purchaser (*demandant to be named by the tenant*).

1 *Bridgm.* 75.

Covenant to suffer recoveries of lands in the several counties, and uses thereof declared. *Ibid.* 204. (*well pen'd*).

A deed of covenant to levy a fine, to corroborate a mortgage for years, to secure several sums to a man and his wife, and two more; the same lands, &c. having been before mortgaged in fee to the same persons, and to one more who is paid off. The use (subject to the mortgage) to the mortgagor in fee. *Horf.* 299.

A deed of covenant after marriage, to levy a fine; the uses thereof declared to be the same as comprised in a settlement before marriage. This is in pursuance of a covenant in the settlement for further assurances. *Horfm.* 304.

Deed of covenant to levy a fine and declare the uses to make good a lease by husband and wife, made in pursuance of a decree of chancery; *Horfm.* 305.

A deed of covenant to levy fines of a manor, advowson, and a variety of other parcels by the remainder-man in tail, in order to bar the intail. *Horfm.* 308.

A deed of covenants by which husband and wife are to levy a fine of her estate to trustees, to secure by a long term raised, money to a mortgagee; then as to part, to the use of the husband for life; as to the other part, for her separate use; the inheritance of the whole, to her appointees, or to her in fee. A covenant to surrender her copyhold of inheritance to her separate use, &c. *Horfm.* 314.



A deed of covenant to levy and declare the uses of a fine, by husband and wife (a coheir) of her third part of a manor; to settle it to the use of the husband for life, then to trustees to convey as the wife shall appoint; if no appointment, to her in fee. *Horsm.* 1087. Fines, &c. continued.

Covenant by husband and wife with trustees in a settlement to levy a fine *sur conusance de droit come ceo*, &c. to the uses of such settlement. *1 Pow. Wood*, 508.

Covenant, in a deed, to levy a fine to bar a joint power of appointment reserved in a settlement and for other special purposes. *2 Pow. Wood*, 429.

Covenant in a mortgage to levy a fine and uses thereof declared. *3 Pow. Wood*, 365.

Covenant to levy a fine, and suffer recoveries at the grand sessions of Wales. *1 Bridgm.* 88. 266. *2 Ibid.* 548.

Covenant to suffer a recovery according to the custom of the city of London. *2 Bridgm.* 469.

Covenant to bring a writ of entry. &c. in order to suffer a recovery. *Lil.* 578.

Covenant to sue out a writ of *disseisin en le poft*, and for suffering recovery with double voucher. *Lil.* 744.

Covenant declaring the uses of a fine to be to a mortgagee till repayment of the mortgage money. *Lil.* 552. (Enurement thereof.)

Covenant that recovery shall enure to the use of the conusee. *Lil.* 745.

Covenant that a fine to be levied shall enure to the use of a purchaser. *1 Bridgm.* 29.

Covenants  
of indem-  
nity.

Covenant (in deed) that a fine levied shall enure to corroborate the said deed. 1 *Bridgm.* 33. 198. and also the sale of an annuity, notwithstanding the fine be levied of the lands only, and not of rents issuing thereout. *Ibid.* 198.

Covenant by a mortgagor to indemnify the mortgagee against actions, &c. for waste, unless wilfully committed by the mortgagee. 1 *Bridgm.* 12.

Covenant to indemnify a purchaser from annuities and judgments. 1 *Bridgm.* 32.

Deed of covenant from a purchaser of premises to pay quit-rents, and indemnify the vendor therefrom. 1 *Bridgm.* 30.

Covenant to save harmless from all actions, &c. 1 *Bridgm.* 250. 311. 316. (*the second of these the most full*).

Covenant to save harmless from suits, &c. on account of a recognizance. 1 *Bridgm.* 145. 2 *Ibid.* 63.

Covenant from a jointress (in settlement made previous to her second marriage) to indemnify her trustees from expences, &c. of the trusts. 1 *Bridgm.* 361.

Covenant that an assignee under commission of bankruptcy will save harmless such commissioners. *Lil.* 523. 527.

The like covenant from creditors (in a deed of distribution). *Ibid.* 532.

Covenant that assignee will bear the assignor harmless from rents and covenants of lease. *Lil.* 483. 622.

One partner in trade (of three) being dead, the survivors, by this deed, covenant to in-

demnify his executors touching the copartner-ship: and the executors assign their share, and give power to sue, and covenant for further assurances. *Horfm.* 277. Indemnity continued.

A deed of covenants from a parcener who had purchased his coparcener's moiety, to indemnify the vendor against the debts of their uncle (from whom the estate came) and against any damages, &c. by reason of a lease which the covenantee had executed. *Horfm.* 294.

A deed of covenant to a purchaser, by the vendor of a manor, scite of a dissolved monastery, advowson, tithes, &c. that the vendor will indemnify the purchaser against a rent reserved upon the grant from the crown, the same being supposed to be discharged, but it not appearing how. *Horfm.* 295.

A deed of covenants by the vendor of lands, to indemnify the purchaser against an old mortgage-term which was paid off, and ought to be assigned to attend the inheritance, but cannot be found; with recitals of the antecedent transactions. *Horfm.* 297.

A vendor of lands covenants to indemnify the purchaser, from dower of the wives of two former vendors of the same lands. *Horfm.* 319.

A special deed of covenants between the sheriff of Middlesex and the under-sheriff, with his four sureties; being chiefly a deed of indemnity to the sheriff. *Horfm.* 1088.

A deed of covenants by a vendor to a purchaser of a manor, &c. which was comprized in the vendor's marriage-articles, but which he had a power to sell, settling an equivalent: The equivalent has been settled accordingly; but, to indemnify the purchaser, his wife and



issue, the vendor agrees to pay off a mortgage affecting the equivalent ; and covenants not to charge beyond a certain less sum ; and release a power which he had to charge more *Horfm.* 789.

Covenant in assignment of houses for lives that assignees will perform the covenants, &c. of the original lease, and indemnify the assignor. *1 Pow. Wood,* 768.

Judgments  
and recog-  
nizances.

Covenant that mortgagor will satisfy a judgment chargeable on the mortgaged premises, and in default the mortgagee may satisfy the same and deduct the amount out of the money to be advanced. *1 Bridgm.* 13.

Covenant to acknowledge satisfaction or otherwise discharge a recognizance. *2 Bridgm.* 62.

Covenant to acknowledge satisfaction on a judgment, when mortgage-money paid. *Lil.* 649.

Covenant from a vendor to procure a recognizance to be vacated on performance of certain conditions. *1 Bridgm.* 298.

Covenant to avow suits, &c. which may be commenced on account of a recognizance assigned. *2 Bridgm.* 62. 135.

Covenants  
in leases.

Covenant to make a lease within a certain time for the term of eight years. *1 Bridgm.* 184.

Covenant to grant new leases in the room of old ones surrendered. *1 Bridgm.* 189.

Covenants usually inserted in a lease for years, together with some special covenants. *2 Pow. Wood,* 465.

A joint and several covenant in a redemise,

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for payment of the rent reserved. 1 *Bridgm.* 46. *Leafes continued.*

Covenant in lease for re-entry on non-payment of rent or assignment against consent. 1 *Bridgm.* 260. 305.

Covenant that lessor may distrain in case of failure in payment of rent. *Lil.* 635.

Covenant for payment of an additional rent per acre, for ploughing up meadow-ground. *Lil.* 628.

Covenant that lessor will pay all taxes incident to the estate. 1 *Bridgm.* 164.

Covenant in a lease that lessor shall pay ground rent. *Lil.* 619.

Covenant that lessor will lend the lessee a certain sum out of the first half-years rent. *Lil.* 634.

Covenant in lease of messuages, lands, &c. for lessee to repair the premises demised. 1 *Bridgm.* 261.

Covenant that lessee may dig marl, coal, and mine. 1 *Bridgm.* 16, 17.

Covenant in a lease that tenant shall have the privilege of digging earth for the purpose of making bricks to be used on the premises. 1 *Bridgm.* 306.

Covenant in a lease that all trees cut down, earth dug up for bricks, &c. shall be employed on the premises and not elsewhere. 1 *Bridgm.* 307.

Covenant that lessee shall grind his corn at the lessee's mill. 1 *Bridgm.* 16.

Covenant that a lessor on six months notice

D 5.

## COVENANTS.

may take a demised shop into his own hands. *Lil.* 619.

Covenant for abatement of rent if lessor resume any part of premises demised. *Lil.* 620.

Covenant from lessee that he will set up and maintain sufficient land marks. 1 *Bridgm.* 308.

Covenant in a lease that the tenant will be at the expence of enclosing certain parts of the demised premises. 2 *Pow. Wood*, 466.

Letter of attorney.

Covenant to execute new letters of attorney if the present attornies die. 2 *Bridgm.* 61. 135.

Covenants in mortgages.

Covenants usually inserted in mortgages of leasehold premises, (*accurately drawn*). 2 *Bridg.* 126. 2 *Pow. Wood*, 427. 3 *Ibid.* 364. 481.

A deed of covenants upon surrendering a copyhold estate by way of mortgage. 3 *Wms.* 1104.

Covenant for payment of money agreeably to proviso, and all costs occasioned by non-payment. *Lil.* 487.

Covenant to pay mortgage-money by husband and wife, the husband being an alien. 2 *Bridgm.* 70.

Covenant that mortgage-money shall be paid on six months notice being given by either party in such a year, and in default of notice, to be paid on a day certain therein mentioned. 1 *Bridgm.* 35. 227. 256.

Covenant in a mortgage for payment of principal on a certain day, and interest in the mean time. 2 *Bridgm.* 128.

Covenant that mortgage-money shall be received though tendered after the proviso-day of payment. 2 *Bridgm.* 486.



Covenant by deed-poll (in the nature of a mortgage of copyhold) that the surrenderor will pay the mortgage-money. 1 *Bridgm.* 135. Mortgages continued.

Covenant that mortgagor will pay taxes, &c. incident to the mortgaged estate till forfeiture. 1 *Bridgm.* 36. 101.

The like till the money advanced be repaid. *Lil.* 550.

Covenant from mortgagor of leasehold premises, that he will pay the reserved rent thereon to the original landlord. 1 *Bridgm.* 71.

Covenant that mortgagor shall enjoy till default in payment. *Lil.* 557.

Covenant in mortgage that mortgagor shall receive the rents till default in payment of the mortgage-money. 2 *Bridgm.* 73. 133.

Covenant for reduction of interest of mortgage-money if regularly paid. 3 *Pow. Wood,* 427.

Proviso vacating mortgage on payment of the mortgage-money. 1 *Bridgm.* 105. 2 *Ib.* 70.

The like, that on payment of mortgage-money, mortgagee will reconvey. 2 *Ibid.* 129.

Covenant in mortgage by demise and redemise, that if mortgagee enter for non-payment he will ratify subsisting leases. 1 *Bridgm.* 106.

Covenant in a mortgage that if mortgage-money not paid, the mortgagee shall have an absolute and indefeasible estate on paying a further sum. 2 *Bridgm.* 33.

That the mortgagor will convey to the mortgagee in fee-simple, (no stipulation for a further sum). 3 *Pow. Wood,* 366.

Mortgages  
continued.

Covenant in a mortgage that the land is of such a yearly value. 1 *Bridgm.* 42. 2 *Ibid.* 127. *Lil.* 556.

And at a future period shall be of greater value. 1 *Bridgm.* 33. 37. 2 *Ibid.* 133.

Covenant in mortgage that mortgagor shall rebuild if premises burnt down. 2 *Bridgm.* 13.

Covenant that a judgment obtained on bond shall stand as a further security for the mortgage-money; but that execution shall be stayed till default in payment. *Lil.* 649.

Covenant in a mortgage of plantations, that the produce thereof shall be consigned to the mortgagee in trust to satisfy the interest of the mortgagee, &c. 3 *Pow. Wood*, 379.

Covenant, in a mortgage, by prior mortgagees, to postpone their security till the present mortgage satisfied. 3 *Pow. Wood*, 378. *Ibid.* 427.

That former mortgagees shall stand possessed of the premises for the benefit of the present mortgagees. *Ibid.* 379.

Covenant in a mortgage of a college lease that the covenants on the lessee's part have been hitherto performed. 1 *Bridgm.* 10.

Payment of  
money.

Covenant to pay a sum of money on previous notice given. 1 *Bridgm.* 49.

Covenant (by indenture in the nature of a mortgage) on surrender of copyholds, to pay a sum of money by installments. 1 *Bridg.* 135.

Covenant to pay the expences attending any suits respecting certain premises. 1 *Bridg.* 252.

Covenant to pay a certain sum for the re-

purchase of premises on reconveyance thereof being tendered. *2 Bridgm. 477.*

Payment of  
money  
continued.

Covenant to pay money upon a decree being obtained in Chancery. *Lil. 470.*

Covenant for payment of a pension annuity, tenths, &c. to the vicar-choral of the stall of a prebend, in addition to the reserved rent. *Lil. 635.*

Covenant for reimbursing the charges, &c. of a trustee. *Lil. 609.*

A deed of covenants between three vendors of lands and the purchaser; whereby the purchaser covenants to pay certain rents and annual payments to which the lands are liable; and the vendors and purchaser mutually covenant to recompence each other respectively, as the case may be, if any land, for which one of these payments is to be made, shall be evicted and the payment cease. *Horsm. 290.*

Deed of covenant that certain individual members of subscribers of stock for the benefit of the corporate body of the same society, will pay an annual sum to the said corporation towards reimbursing expences in building warehouses, &c. and for the use thereof. *1 Wms. 41. (J. H.)*

Deed of covenant relative to an intended purchase under special circumstances. *1 Bridg. 296.*

Relative to  
purchases.

*Note. The vendee being akin to the vendor, is desirous the estate may not be sold out of the family, and being in hopes of raising the money to purchase it, this deed is made to manifest the intention of the parties in case the money can be raised.*



Purchases  
continued.

Covenants (usual) on the purchase of copyholds in several manors. 1 *Bridgm.* 115.

Covenant to lay out the reversion of bank stock and mortgage monies (when in possession), in the purchase of a freehold estate to be settled as in the present deed directed.

2 *Wms.* 715.

Deed of covenant (to accompany purchase deed) that the vendee will reconvey the estate to the vendor on his paying such a sum on a day certain; with special clauses for effectuating the intention of the parties, and preventing the deed being taken as a mortgage.

1 *Bridgm.* 56.

Covenant under similar circumstances for completing the purchase on a conveyance being tendered. 2 *Ibid.* 477.

Covenant by a father, tenant for life, to procure a conveyance for his son of the reversion of the premises, on his attaining the age of twenty-one years. 1 *Pow. Wood*, 512.

Covenant (by indenture) to discharge a purchaser from a certain covenant in the purchase deed. 1 *Bridgm.* 247.

Covenant that a purchaser shall confirm the leases and contracts of the tenants in possession. 1 *Bridgm.* 7.

Covenant that purchaser takes the estate subject to all risks, and that the vendor shall not be liable on account of disturbance. 1 *Bridgm.* 29.

Covenant between trustees of estates and a purchaser of part thereof, in respect to the division of boundaries of marsh lands. 1 *Bridg.* 355.

## COVENANTS.

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Covenants to produce writing for the maintenance of purchasers title. *1 Bridgm. 32.* Production, &c. of deeds  
*2 Ibid. 466. Lil. 537-790.*

The like with a proviso that they shall be redelivered when made use of. *1 Bridgm. 37.*

A deed of covenants between three vendors of lands, and the vendee; who are respectively to have the custodies of several title deeds, and mutually to produce them for the service of each other. *Horfm. 288.*

A deed of covenants by the vendors of fee-farm rents, (for the separate use of a feme covert) to produce deeds at the request of her, or her trustees, &c. *Horfm. 293.*

A covenant by deed-poll, to produce deeds (mentioned in a schedule) to protect a purchase. This deed from a vendor to a purchaser of a share in the New River, &c. *Horfm. 307.*

Covenant by a vendor for the production of such title deeds as relate to other lands besides, and of greater value than, those sold. *2 Pow. Wood, 432.*

A like with reference to a schedule thereof annexed. *Ibid.*

A like covenant for the reciprocal production of title deeds by the vendor and vendee; part of the deeds being transferred to the vendee and part retained by the vendor. *2 Pow. Wood, 432.*

Covenant in a mortgage for the production of deeds deposited in the hands of a third person, for the mutual benefit of the mortgagor and mortgagee. *2 Pow. Wood, 433.*

Covenant by tenant for life in a deed of appointment under a settlement, for production

## COVENANTS.

of title deeds, &c. to a purchaser. 1 *Pow. Wood*, 505.

Covenant to deliver deeds on receipt of purchase-money. 1 *Bridgm* 297.

Covenant that mortgagee shall deliver writings upon payment of mortgage-money. 1 *Bridgm* 13.

Covenant, by way of grant, to a purchaser of deeds and writings relating to the estate, (especially considered, the vendors having several interests). *Ibid.* 18.

The like when the whole of purchase-money shall be paid. *Ibid.* 297.

## Release.

Covenant not to release an action for escape of a prisoner. 1 *Bridgm*. 249.

Covenant to give release on payment of money. *Horism*. 462. 489.

Covenant from husband that he will, on solemnization of the marriage, release bequests made to the wife's separate use, &c. *Horism*. 504. 656. 675.

## Renewal.

Covenant (in demise for payment of debts) that lessor shall be at liberty to renew, and trustees will surrender for that purpose on his giving security to refettle the same within a limited time thereafter. 1 *Bridgm*. 318.

Covenant in a mortgage for procuring renewal of a lease, and to demise the same. *Lil.* 659.

## Revocation

Covenant not to revoke a power of attorney. 1 *Bridgm*. 250. 315.

Covenant to revoke a deputation upon request. *Lil.* 458.

And to appoint a new deputy. *Ibid.*

## Settlements

Covenant in a settlement by the husband



that the jointure lands are of a certain annual value. 1 *Bridgm.* 303. Settlements continued.

And shall continue during the wife's life, of a certain annual value. 3 *Pow. Wood*, 644.

Covenant that jointress shall pay taxes incident to her rent-charge. 1 *Bridgm.* 152.

Covenant that jointure lands shall be free from the payment of an annuity chargeable thereon. 2 *Bridgm.* 38.

Covenant from husband in marriage settlement that he will leave an estate of a certain value to descend to his heir. 1 *Bridgm.* 178.

Covenant in marriage articles to settle estates of such a value. *Ibid.* 183.

Covenant (in deed of trust) to pay a yearly sum to a wife for her separate use. 2 *Bridgm.* 56.

Covenant that the settled estates are of such a value. *Horfm.* 20.

A deed of covenants, between a citizen of London and his son in law; to give an addition to the daughter's portion; which is accepted in full of her advancement, and in lieu of the custom. *Horfm.* 460.

Covenant in a settlement by the intended husband to settle other monies if acquired on suits depending. 3 *Pow. Wood.* 679.

A covenant before marriage, by the husband; that the wife may dispose of jewels, &c. and that he will not obstruct her, but confirm, &c. *Horfm.* 462.

Covenant by a husband, that he will not intermeddle with the portions of his wife's children by a former husband. 1 *Bridgm.* 118.

Covenant by a husband with trustees in a settlement that he and his posterity by the woman shall quarter her coat of arms. 2 *Bridgm.* 469.

Covenant by husband to defray the expences of keeping marsh lands settled in jointure from being overflowed. 1 *Paw. Wood*, 644.

Covenant in a marriage settlement that the estates shall continue on the several uses limited. 3 *Paw. Wood*, 644.

Sheriff.

Covenants for allowing an under sheriff to appoint clerks, &c. *Lil.* 460.

And to take securities of them for the discharge of their duty. *Ibid.*

To indemnify the high sheriff from actions. 460, 461, 462, 463.

For the due execution of writs, &c. 460.

To make true returns of writs, 461.

For payment of duties and monies levied, 461, 462.

To levy debts due to the king, 461.

To pay such debts as directed by writ. *Ibid.*

To pay fees, fines, &c. 463.

To attend the high sheriff when required, and obey his orders. *Ibid.*

To pass the accounts of the high sheriff, and procure his quietus. *Ibid.*

The under-sheriff shall take charge of the county-goal and be answerable for escapes, 464.

Note. The above covenants relative to the office of sheriff are drawn with accuracy and neatness.

## COVENANTS.

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Covenant (in feoffment) to surrender copyholds to the use of the purchaser. *1 Bridgm. 31. 115.* Surrender.

Covenant to surrender copyholds and that the same shall when surrendered be free from incumbrances. *2 Bridgm. 83.*

Covenant to surrender copyholds at a court-baron. *2 Bridgm. 83.*

A covenant in a lease of copyhold premises that lessor shall surrender the same to the use of the lessee on notice of his desiring to purchase them. *Lil. 623.*

Covenant that a vender of copyholds shall surrender the same upon request within 7 years. *1 Bridgm. 30.*

Covenant to surrender a term on the trusts thereof being performed. *2 Bridgm. 37. 54. 114.*

Covenant from trustees to surrender leaseholds in order to renewal, upon bond given for settling the renewed leases to the same uses. (*well drawn*). *1 Bridgm. 318.*

Covenant for surrendering an office upon notice. *Lil. 472.*

Covenant that there shall be no benefit of survivorship in respect to an annuity. *2 Bridgm. 45.* Survivorship.

Covenants in deed of copartnership that there shall be no survivorship in a lease. *1 Bridgm. 327.*

Covenant between copartners that one will not dispose of his part of the lease without the others consent. *1 Bridgm. 338.*

Covenant that there shall be no survivorship between two mortgagees. *2 Bridgm. 92.*



Covenant that there shall be no survivorship in a rent-charge. 2 *Bridgm.* 45.

Deed of covenant and declaration that there shall be no benefit of survivorship in respect to the third part of an estate. 2 *Bridgm.* 46.

Covenant that there shall be no benefit of survivorship in respect of money advanced by two mortgagees. 1 *Bridgm.* 11.

Title to estates.

Covenants for the title to estates from three persons severally, and not jointly, for themselves and wives. 1 *Bridgm.* 290.

Covenant to make a title to such parts of premises released as are copyhold. *Lit.* 616.

Covenants, in a release upon trust, for the right, title, quiet enjoyment, and further assurance of freehold and copyhold lands, (*well drawn*). 2 *Pow. Wood*, 426.

(Grantor seized, &c.)

Covenant that grantor is lawful owner, &c. notwithstanding any acts done by himself, his father, his grandfather, or others with their privity. 1 *Bridgm.* 24.

That he or his wife are owners, &c. *Ibid.* 101.

Covenants, that trustees shall stand seized to the use of lessees under powers in deed of settlement. 2 *Bridgm.* 139.

Covenant, that if conveyance prove defective, the grantors will stand seized to the uses therein expressed. 2 *Bridgm.* 102.

Covenant, (by indenture) that the covenantor will stand seized to the use of another, with power of revocation, (*short*). 2 *Bridgm.* 140.

## COVENANTS.

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Covenant to stand seized of premises, not well conveyed, to the uses in the deed mentioned. 2 *Pow. Wood*, 422. Title continued.

A similar covenant. *Ibid.* 423.

Covenant in feoffment, that grantors are seized in fee, and will continue so till the estate be vested in the grantee. 1 *Bridgm.* 20. 265.

That grantor was seized in fee and continued so till fine levied. *Ibid.* 75.

Covenant that surrenderor is seized in fee according to the custom of the manor, of copyholds. 1 *Bridgm.* 115.

Covenant that a vendor is seized of other lands of such an annual value, and will continue so till he enter into recognizance for performance of covenants. 1 *Bridgm.* 12.

Covenant that grantors are seized in fee simple or fee tail. 2 *Bridgm.* 126.

Covenant by husband and wife in a settlement that they are seized in fee and will so continue till the inheritance is vested in the grantees. 2 *Bridgm.* 38.

Covenant in a mortgage that trustees are seized in fee, subject only to an equity of redemption. 2 *Bridgm.* 71.

Covenant that bargainors are seized of premises and will continue so till the estate conveyed is vested in the bargainee. *Lil.* 536.

Covenant that a statute recognizance hath not been nor will be released. 1 *Bridgm.* 90.

The like of a bond. *Ibid.* 120. 310.

## COVENANTS.

Title  
continued.

Covenant that a bond and judgment is still in force and the money *bona fide* due thereon. *Lil.* 608.

(Right to  
convey.)

Covenant by a feoffee that he has authority to convey. 1 *Bridgm.* 20.

By a bargainer. *Ibid.* 75. 273.

By the grantor of a rent charge. *Ibid.* 78. 245.

By a releasor. *Ibid.* 160.

By a mortgagor. *Ibid.* 101.

By a surrenderor. *Ibid.* 136.

By a lessor. *Ibid.* 167.

By an assignor of a lease. *Ibid.* 233. *Lil.* 480.

Covenant (in a deed of appointment) by tenant for life under a settlement that he or the trustees in such settlement have power to revoke, re-appoint, &c. *Horfm.* 20. 37. 1 *Pow. Wood*, 504.

Covenant by husband and wife in a deed of appointment that they have power to appoint; have not encumbered, and for further assurance. 1 *Pow. Wood*, 541, 542.

Covenant in assignment of a legacy that the same is due, has not been assigned, that the assignor will not release the same, and for further assurance. 1 *Pow. Wood*, 810.

(Quiet en-  
joyment.)

A several covenant for quiet enjoyment (between many parties). 2 *Bridgm.* 40.

Covenants for quiet enjoyment by a grantor (well drawn). 1 *Bridgm.* 25. 284. *Horfm.* 20. 37.

The like by a lessee. 1 *Bridgm.* 44. 122.

The like by a jointress and *cestui que use* under a settlement. *Ibid.* 86.



The like by a mortgagee. *Ibid.* 10. 69, 102. Title

Covenant by husband and wife for quiet enjoyment of premises the property of the wife. 2 *Bridgm.* 174. *continued.*

Covenant (in mortgage) for quiet enjoyment according to the respective interest of the several parties. 1 *Bridgm.* 228.

Covenant for quiet enjoyment in the mortgagor till default in payment of the mortgage-money on the day limited. 2 *Bridgm.* 129.

Covenant in a mortgage that in default of payment trustees shall peaceably enjoy free from incumbrances (*full, with an exception as to a trust*). 2 *Bridgm.* 71.

Covenant that trustees shall enter into and quietly enjoy premises conveyed to them as a security against a breach of trust, should they be made answerable for such breach. 1 *Bridgm.* 358.

Covenant for quiet enjoyment of such part of released premises as are copyhold. *Lil.* 616.

Covenant for quiet enjoyment free from ground-rent, and other incumbrances. *Lil.* 632

Covenant in surrender of leases, for the quiet enjoyment of the tenants till a given day. 2 *Bridgm.* 159.

Covenant for peaceable enjoyment, in the assignment of a lease. 2 *Pow. Wood*, 415.

Note. *Observations on the legal effect and extent of the words, "Paying and performing," and "means, default, consent, or procurment, annexed to this covenant."*

Title  
continued.

Covenant for quiet enjoyment of the office of under-sheriff. *Lil.* 460.

Covenant that the vendor shall not be answerable for any disturbance in the purchasers possession, except by himself or ancestors. 1 *Bridgm.* 29.

Covenant that purchaser if disturbed in his possession of purchased premises shall quietly enjoy others conveyed to him as a collateral security. 1 *Bridgm.* 168.

Covenant that vendor of certain premises shall enjoy premises, demised to purchasers as a collateral security, till such purchaser be disturbed in his possession. *Ibid.* 169.

Free from  
incumbrances.

Covenant that premises are free from incumbrances created by the grantor. 1 *Bridgm.* 20. 114. 132.

The like by the grantor or his ancestors. *Ibid.* 25. 160. 163. 284.

Covenant that assignor of debts has not done nor will do any act to prevent the assignees's receiving them. *Lil.* 511.

Covenant from trustees severally, that they have not encumbered. 1 *Pow. Wood.* 504.

Covenant by a trustee, that he will not encumber the estate. 2 *Bridgm.* 300.

Covenant that copyhold lands are free from former surrenders and incumbrances. 1 *Bridgm.* 115. 2 *Ibid.* 83.

Covenant that premises are and shall continue to be free from incumbrances, (*with many exceptions*). 2 *Bridgm.* 39.

Covenant that copyhold lands shall be free from incumbrances when surrender made. 2 *Bridgm.* 83.

Covenant that premises are tythe free. Title  
 1 *Bridgm.* 163. *continued.*

Covenant by father and son to free an estate from a subsisting mortgage by a certain time.  
 1 *Bridgm.* 11.

To free the same estate from all other incumbrances by a further time. *Ibid.*

Covenant that premises shall be free from incumbrances when further assurance made.  
 2 *Bridgm.* 130.

Covenant by one who has an estate in fee-simple in one moiety and an estate for life in the other moiety of lands sold, with the purchaser that he has not encumbered; is seized as aforesaid; has right to convey; for quiet enjoyment; and for further assurance. 1 *Pow. Wood*, 511. 512.

Covenants for further assurance by a feoffor, (*Further assurance.*)  
 1 *Bridgm.* 21. 27.

By a bargainor. *Ibid.* 174.

By a lessor. *Ibid.* 45.

By the assignor of a lease. *Ibid.* 233.

By a releasor. *Ibid.* 76.

By a surrenderor. *Ibid.* 225.

By a mortgagor in fee. *Ibid.* 43. 102.

By a mortgagor for years. *Ibid.* 38.

By a copyholder. *Ibid.* 115. 137.

By the conusee of a statute staple, upon an assignment. *Ibid.* 90.

Covenant for further assurance by an obligee in the assignment of a bond. *Bridgm.* 119.



Title  
continued.

Covenant for further assurance so that the same contains no farther warranty nor other covenants for quiet enjoyment, or of the premises being free from incumbrances than in the present deed. *Lil.* 498.

Covenant (several) for further assurance (*well penned*). 2 *Bridgm.* 80. *Horfm.* 20. 49.

The like (joint). 2 *Bridgm.* 127.

Covenant for further assurance in a settlement, (*very full*). 1 *Bridgm.* 220.

A covenant for further assurance, (*specially drawn*). *Horfm.* 835.

Covenant that obligor in a statute will make further assurance of the lands when extended. 1 *Bridgm.* 90.

Covenant from man and his wife for further assurance subject to a proviso in the deed. *Lil.* 470.

Covenant from executors for further assurance within seven years (*with a variation making it applicable to either a joint or several covenant*). 2 *Bridgm.* 453.

Covenant that grantor will make further assurance on request within seven years. *Lil.* 575.

Covenant for further assurance of copyhold lands at all times, within seven years. 2 *Bridgm.* 83.

Covenant to make further assurance within the space of ten years. 2 *Pow. Wood*, 672, 674.

Covenant by husband and wife, that wife shall make further assurance when she becomes of age. 2 *Bridgm.* 174.

Covenant by man and his wife for further assurance in default of payment of mortgage-money. 2 *Bridgm.* 72. Title continued.

Covenant by a mortgagor to make further assurance on failure of payment. *Horfm.* 303. 317.

Covenant (in deed of appointment) by trustees in a settlement and tenant for life, with a purchaser for further assurance. 1 *Pow. Wood*, 505.

Covenant in assignment of copartnership effects; for further assurance in order to enable the assignee to recover. 2 *Wms.* 713. 809.

Covenant that an obligee in a statute shall be permitted to extend the lands; and that further assurance shall be made thereof. 1 *Bridgm.* 90.

A deed of covenants from an heir at law, and his younger brother, the devisee of a manor and advowson, to a purchaser under a private act; to procure another act, to rectify an omission in the former; and to procure an exchange of part of the lands, &c. concluding with an obligation, &c. *Horfm.* 285.

Covenant to procure a new act in the room of one that is found to be defective. *Horfm.* 286.

To procure an act of parliament, or a decree in chancery to ascertain and establish the value of jointure, lands, &c. *Horfm.* 672. 675.

Covenant that a conditional assignee of certain premises shall enter thereon if evicted from other premises. *Lil.* 470.

## DECLARATIONS OF TRUST.

Warranty.

A covenant of warranty in a conveyance. *Lil.* 539. 571.

The like in a bill of sale. *Ibid.* 655.

Declaration  
of trust.

## DECLARATIONS OF TRUST.

Annuity.

DECLARATION of trust in respect to an annuity to his majesty for the use of *St. Magdalen's College, Oxon.* 2 *Bridgm.* 89.

Declaration of the use of a trust to raise an annuity or rent-charge in lieu of dower. 2 *Bridgm.* 35.

Declaration of the trust of a term (being part of another deed) for the better payment of an annuity. *Horfm.* 326.

Bond.

Declaration that a person's name in a bond is only in trust. *Lil.* 782.

A declaration of trust by the obligee in a bond, that part of the principal money belongs to his sister. *Horfm.* 322.

A declaration of trust in respect to an annuity bond. 2 *Wms.* 858. (B—)

A declaration that trustees shall stand possessed of a bond upon the same trusts as are elsewhere declared respecting South-Sea stock. 2 *Wms.* 862. (*Melmoth*)

Charities.

Deed of declaration of trusts, by which certain trustees declare and specify the trusts; to pay to godly poor, to appoint times and places for meeting to execute the trusts, to appoint a receiver, to account, to fill up their numbers &c.; with power to lease, &c. *Horfm.* 215.

A declaration of trust of lands settled to charitable uses. Many recitals of regulations



## DECLARATIONS OF TRUST.

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for the well ordering and disposition of the Charity  
charity. *Horfm.* 221. *continued.*

A declaration of the trust of lands devised upon a contingency for the benefit of dissenting teachers, &c. this deed is between the deviser and his devisees, the trustees; clause for filling up the number, and indemnifying and rewarding the trustees. *Horfm.* 204.

A deed declaring the trusts of certain freehold and leasehold lands settled for the support of the dissenting ministry and interest; with divers directions for the filling up the number of trustees, and regulating the execution of the trust. *Horfm.* 207.

A declaration of the trust of a place to be used as a meeting-house, with a provision in certain cases to sell the premises, and distribute the money to the poor; also for filling up the number of trustees from time to time. *Horfm.* 227.

Declaration of trust that estate was conveyed not absolutely, but only in trust; with covenants from trustee to convey according to direction. 2 *Bridgm.* 299. *Conveyance.*

Declaration of trust (in a deed) that estate shall be sold for payment of debts, and interest applied for the same purpose in the mean time. 1 *Bridgm.* 12. *Debts.*

Declaration of trust (in a lease) for payment (out of rents, &c.) of a particular debt, and afterwards for support of a wife and children. 1 *Bridgm.* 317.

Declaration of trust (in an assignment) to pay a debt and maintain and educate a child. *Lil.* 513.

## DECLARATIONS OF TRUST.

Deed-poll, by which a father declares that money due to him from his son-in-law, shall be taken in part of the daughter's share of a residuary estate settled on her. *Horfm.* 46.

Devise.

A deed between a feme covert and the trustee in her will, declaring a devise therein made to be in trust to follow her future appointment. *Horfm.* 323.

Indemnity.

Declaration and covenant, as an indemnity against a doubtful title, in respect of part of premises sold. The purchaser paid only part of the purchase-money, and for the residue made a mortgage to the vendor; the vendor therefore covenants and declares that the purchaser may retain part of the money in his hands (at interest) until an act, or other indemnity be procured; and that he will endeavour to procure it. A provision as to what to be paid on eviction. *Horfm.* 814.

Jointure.

Declaration of the trust of a term created as a collateral security for augmenting the jointure of a wife in case she shall settle her own lands on attaining 21. 1 *Bridgm.* 180.

Lease.

Declaration of trust that a lease and judgment were assigned for the purpose of keeping the same on foot as a collateral security for a sum advanced on mortgage. 2 *Bridgm.* 114.

A declaration of trust relating to an assignment of a lease. 2 *Wms.* 860.

A declaration of trust from lessees, that the lease has been granted for the benefit of a proprietary fund. 2 *Wms.* 865.

A declaration of trust that the lease of a meeting-house, shall be used only as such. *Horfm.* 220.

Declaration of trust as to leasehold estates, to reserve sufficient of the rents to renew leases and then to the uses of a settlement. 2 *Pow. Wood*, 609.

A declaration that a part of mortgage-money is the property of a third person who shall have an equal benefit in the mortgage deed. 2 *Bridgm.* 47. 90. Mortgage.

The like where a fine was levied, with the addition of a covenant to strengthen the third person's security. *Ibid.* 116.

Declaration (indorsed on a mortgage deed) by which trustees, &c. in a settlement, declare that consideration money was not theirs; but was part of the marriage-portion of the wife of the mortgagor, and is now placed out on security, till it can conveniently be invested in a purchase of lands. *Horfm.* 320.

A declaration of trust in a mortgage, that the money lent was not the property of the mortgagee; this deed contains also a covenant to convey, &c. *Horfm.* 321.

Declaration in a mortgage that a bond and judgment shall stand as a collateral security for the mortgage-money. 3 *Pow. Wood*, 428.

A declaration of trust in respect to the transfer of a mortgage. 2 *Wms.* 852. (*Maire*)

Declaration of trust (by deed poll) made by trustees under a settlement in respect to lands purchased by them in the lieu of lands of the wife which had been sold; declaring the same to be by them held to such and such uses. 1 *Bridgm.* 94. Purchases.



## DECLARATIONS OF TRUST.

A declaration of trust by the lender of some money to complete a purchase (which was made in trust) that part of the money lent was not his own, but belonged to another person; and that (as to so much) a term raised in the purchase-deed, and also a collateral real security made by the *cestui que trust* of the purchased lands, are in trust for the owner of this part of the money. *Horfm.* 324.

Renters  
shares.

Declaration of trust by a man and his wife in respect of two renters shares in a theatre; viz. that they are held in trust for another who alone is beneficially interested therein. 2 *Pow. Wood*, 608.

Stock.

A declaration of the trust that bank-stock, &c. transferred by a woman before marriage; shall be transferred to the intended husband if the marriage takes effect within a certain time. *Horfm.* 322.

A declaration of trust (by indorsement) between the owners and trustees of certain government securities, which have been subscribed and altered under acts of parliament. *Horfm.* 325.

Declaration of the trusts of stock, till an infant attain twenty-one, and convey a reversion of an estate. 1 *Pow. Wood*, 509.

Declaration of trust relating to stock transferred for securing an annuity. 2 *Wms.* 867. (*Fogg*)

Declaration of trust relating to stock transferred as a collateral security against the forfeiture of an obligation. 2 *Wms.* 876. (*Webb*)

A declaration of trust, in respect to bank annuities purchased with the residue of a per-

## DECLARATIONS OF TRUST.

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sonal estate, and transferred to trustees, in pursuance of directions contained in a will. 2 *Wms.* 883. (*Weston*)

Declaration of the uses of a fine levied of an estate for life, (*short*). 1 *Bridgm.* 87. Uses (of fines.)

Declaration in a settlement of the uses of a fine and recovery already had. 2 *Bridgm.* 3. 125.

The like to be had. *Ibid.* 119.

Declaration of the uses of a fine to be in trust for the payment by a husband of legacies which may be left by his wife's will, (*short*). 2 *Bridgm.* 170.

Declaration of the uses of a fine, with covenant for quiet enjoyment in the *cestui que use*. 2 *Bridgm.* 171.

The like with covenant against incumbrances, and for further assurance. 2 *Ibid.* 445.

Declaration of the uses of fine, to be such as a feme covert should by deed or will appoint. 2 *Pow. Wood*, 586.

Declaration of the uses of a recovery by deed to lead the same. 2 *Bridgm.* 122. (Of recovery.)

Declaration of uses of a recovery. *Lil.* 579.

Declaration of the uses of a recovery to corroborate a mortgage. 2 *Pow. Wood*, 587.

## DEFEAZANCES.

Defeazance

A DEFEAZANCE of an agreement in marriage-articles to pay an additional portion; the same being hereby declared void upon contingencies. *Horism.* 339.

Of an agreement.

A defeazance by deed-poll, of part of a deed of appointment by a father upon a contingency, (*the circumstances special*). *Horism.* 327.

Appointment.

Convey-  
ance.

A defeazance (between a mortgagee and her trustees and the mortgagor) by deed, declaring certain conveyances to be only by way of mortgage to secure a sum of money and interest. Proper covenants between mortgagor and mortgagee. *Horfm.* 332.

Recogni-  
zances, &c.

Defeazance (by indenture) of a statute staple for payment of money. 1 *Bridgm.* 52.

Defeazance (by indenture) of a statute merchant, for performance of covenants in a deed. 1 *Bridgm.* 53.

Defeazance of a recognizance, for performance of covenants. 1 *Bridgm.* 313.

Defeazance of a recognizance in the nature of a statute staple, on payment of a sum of money, with a covenant for such payment. 2 *Bridgm.* 48.

The like without covenant. *Ibid.* 549.

A defeazance of a recognizance in nature of a statute-staple, on payment of principal and interest secured thereby. *Horfm.* 331. 335.

Defeazance of a recognizance; by deed declaring a recognizance entered into by a vendor of lands to a second vendee, to be only as a security to indemnify the purchased lands against tithes, except a certain modus. *Horfm.* 328.

A defeazance of a recognizance which a vendor of lands acknowledged to the purchaser, as a security against a possible charge; to be void on the vendor's procuring a proper indemnity. *Horfm.* 337.

Warrant of  
attorney.

A defeazance between two obligors and the obligee in a bond, declaring that a certain warrant of attorney is for the same sum; that same shall be delivered up on payment,



or if judgment entered, satisfaction shall be acknowledged. *Horfm.* 336.

DEMISES.

Demise.

DEMISE of a manor for ninety-nine years, for securing an annuity for the life of the lessee. 1 *Bridgm.* 43. For collateral security.

Redemise of the same premises for the like term, if lessee so long live. *Ibid.* 45.

A like demise for one thousand years, with redemise for nine hundred and ninety-nine years. *Ibid.* 103.

Demise for life, and redemise for years, to secure a rent-charge in lieu of dower. 2 *Bridg.* 383. 386.

Demise (in deed of settlement) to trustees to secure annuity to the wife. *Horfm.* 36.

Demise of premises to a trustee as a collateral security for a feme covert's levying a fine when of age. 1 *Bridgm.* 165.

A demise by way of collateral security. The vendor of lands which were liable to certain rent-charges (or so supposed to be) to indemnify the purchaser, demises other lands to a trustee for a long term of years to indemnify the purchaser. *Horfm.* 340.

The vendor of lands, with his trustee (which lands were subject to a rent-charge for the life of a woman) demises other lands to the vendee, as a collateral security against the said rent-charge. *Horfm.* 345.

A demise by way of collateral security to a purchaser. Lands being charged by a will with debts and legacies, and devised for several particular estates, and finally devised in

fee to a feme sole, who was also heir at law; she marries, and she and her husband having sold part to one who sold the same to another; the vendors demise other lands to the second purchaser, as a collateral security against debts and legacies; and their trustees of certain terms, covenant to stand possessed in trust for the purchaser. *Horfm.* 349.

*Indemnity.*

Demise of the moiety of manors, &c. for five hundred years to a surety, to indemnify him against recognizances, and a bond. 1 *Bridg.* 143.

Demise for one thousand years, of lands, &c. from a guardian to trustees in a will to indemnify them against the payment over of surplus monies, during the infant's minority. 1 *Bridgm.* 356.

A demise (by three vendors of messuages, &c. to two trustees of the purchaser) of certain other messuages, &c. to indemnify the purchaser against certain payments supposed to be charged on the purchased messuages, together with other lands. *Horfm.* 343.

*In trust.*

Demise of lands, &c. by husband and wife for sixty-years, in trust for the wife, pursuant to an agreement before marriage. 1 *Bridg.* 115. 122. 294. (*the same*)

Demise of manors, &c. from a jointress (previous to her second marriage) for ninety-nine years, upon trust for her separate benefit, (*well drawn.*) 1 *Bridgm.* 359.

A demise by husband and wife, of lands for a long term, in trust for themselves; and a covenant to levy fines of freeholds, and lands in ancient demesne, to make good the term. *Horfm.* 358.

## DONATIVE.

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Demise by a father and son for a long term, determinable on the death of the survivor, to a trustee; in trust to permit them successively to take the profits. *Horfm.* 361.

## DEPUTATION.

Deputation.

A DEPUTATION of a bailiff to receive fines &c. arising within a hundred. *Lil.* 691.

Deputation of an attorney to inspect another's accounts. *Ibid.* 458.

Deputation of an under-sheriff. *Ibid.* 459.

Deputation of the office of surveyor of the customs. *Ibid.* 692.

Deputation of a bishop's register. *Ibid.* 694.

A deputation from the steward of a manor to a person to take a surrender. 2 *Wms.* 518. (*T. W. W.*)

See APPOINTMENT.

## DISTRIBUTION.

Distribution

A DEED of distribution by commissioners of bankruptcy, of bankrupt's estate amongst his creditors, (*well drawn, and many special recitals.*) *Lil.* 528.

## DISTRESS.

Distress.

CLAUSES of distress for a rent-charge, and *nomine pœnæ.* 1 *Bridgm.* 78. 151. 208. 246.

Clauses of distress for an annuity. *Lil.* 785.

See ANNUITY; PROVISOR.

## DONATIVE.

Donative.

A DONATIVE of a parsonage, with a letter of attorney to deliver seizin. 2 *Bridgm.* 30.

DOWER. See ASSIGNMENT; RELEASE.



## EXCEPTIONS.

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*Enfranchisement.*

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## ENFRANCHISEMENT.

A DEED of enfranchisement by bargain and sale by the lord of a manor, of copyhold premises to three of his tenants. *Horfm.* 282.

Bargain and sale by the lord of a manor to three tenants by way of enfranchisement, (*well drawn.*) *Horfm.* 283.

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*Exceptions.*

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## EXCEPTIONS.

EXCEPTION in a deed of the produce of mines. *1 Bridgm.* 15.

Exception of wood. *Ibid.* 192.

Exception of dower. *Ibid.* 20.

Exceptions of leases. *Ibid.* 26. 104. 233. 266. 303.

Exception of a jointure. *Ibid.* 303.

Exception of an annuity. *Ibid.* 161.

Exception of a proviso. *Ibid.* 104.

Exceptions of leases and rents to be payable by the grantee. *Lil.* 481.

Exception of part of the premises. *Lil.* 481. 497.

Exception of a jointure charged on the premises assigned. *Lil.* 492.

Exception of two mortgages. *Ibid.* 560. 786.

Exception of a watercourse in a lease. *Ibid.* 617.

Exception of a passage through the premises demised. *Ibid.* 630.

Exception of the presentation (in lease) of a prebend. *Lil.* 634.

Exception of a parcel of land. *Ibid.* 786.

## FEOFFMENT.

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Exception of timber. *Ibid.* 786.

Exception of the remainder of terms of five hundred and one thousand years. *Ibid.* 790.

## EXECUTION.

Execution.

THE mode of executing deeds of conveyance of a plantation in Barbadoes, by a person empowered by a letter of attorney; and the letter of attorney. *Horfm.* 772.

## EXCHANGE.

Exchange.

A TENANT for life of messuages, &c. and a tenant for life of manors, &c. having agreed to exchange during their joint lives; they by this deed mutually demise their respective estates for long terms, determinable on the death of either of them. *Horfm.* 372.

A deed of exchange of messuages, lands, &c. by lease and release, (*well drawn*). 2 *Pow. Wood*, 670. (*I. I. P.*)

A deed of mutual conveyances between two parties by way of exchange. 2 *Wms.* 892. (*B—*)

## FEOFFMENT.

Feoffment.

FEOFFMENT of messuage and lands, part freehold and part copyhold, by four feoffors, two of whom are mortgagees, with proper covenants, &c. 1 *Bridgm.* 17.

Feoffment of a manor advowson of rectory, parsonage impropriate, copyholds, &c. to a purchaser. Covenant to levy a fine and suffer recovery thereof. Letter of attorney to deliver possession, and some special covenants. 1 *Bridg.* 22.

Feoffment  
continued.

Feoffment of a house, &c. with a separate grant of the reversion; power of attorney to deliver possession; covenant to levy a fine and suffer recovery in *Wales*, (*well drawn*.) 1 *Bridg.* 263.

Feoffment by three vendors and their wives with letter of attorney. 1 *Bridgm.* 289.

Feoffment for raising portions for younger children by way of settlement, in pursuance of previous articles, with a trust, by way of power, to make leases, (*well drawn*). 2 *Bridg.* 76.

Feoffment by a husband and wife to a purchaser, (*a good deed*). 2 *Bridgm.* 461.

A deed of feoffment of lands, &c. to a purchaser. 2 *Pow. Wood*, 727. (*I. I. P.*)

A conveyance by feoffment. 2 *Wms.* 915.

A conveyance of freehold and leasehold premises, pursuant to an act of parliament, from the apothecaries company, to the mayor and commonalty, and citizens of the city of London, the leasehold premises by way of surrender, the freehold by feoffment. 4 *Wms.* 1498. (*Rivet*)

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*Fine.*

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### FINE.

A FINE *sur render* levied 2 *Elizabeth*, (*in Latin*). 2 *Bridgm.* 553.

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*Grant.*

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### GRANT.

Advowson.

GRANT of an advowson or right of presentation for a term of years, if grantee so long live, (*short*) 2 *Bridgm.* 181.

Grant of the next avoidance of a living. *Lil.* 611.



A grant of the next presentation to a living.  
*Horfm.* 383.

A grant of the next avoidance of a rectory.  
*2 Wms.* 920. (*Booth*)

Grant of an annuity during the life of the grantee, secured by demise and redemise of a manor, &c. for a term of ninety-nine years. (*A defect in the reddendum of the demise.*)  
*1 Bridgm.* 43.

Grant of an annuity during the life of the grantor by way of provision for the son's wife, (*very concise*) *1 Bridg.* 366. Annuity.

Grant of an annuity by deed-poll from the death of the grantor during the life of the grantee, (*very short; no covenants*) *1 Bridg.* 313.

Grant, by *cestui que trust*, of an annuity or rent for years by way of settlement on a marriage. *2 Bridgm.* 300.

Grant of an annuity for the life of the grantee, secured by South Sea annuities transferred to trustees; a provision in case of their being redeemed by parliament; indemnity to the trustees, &c. (*a good deed and well drawn*)  
*Horfm.* 12.

A grant of an annuity during the joint lives of the grantor and grantee, (free from taxes) to issue out of certain lands; and a demise of the same lands, for a long term, to trustees, for the better securing the payment. *Horfm.* 384.

A grant of an annuity for the life of the grantee, with a power to distrain on certain lands. A demise of those lands, and an assignment of leasehold interests to trustees for the grantee, for the better payment of the annuity. An agreement that the grantor shall keep, and,

Annuity  
continued.

on request, produce the counterparts of leases, (full, and accurately drawn) *Horfm.* 387.

Grant and conveyance of the reversion of an annuity or rent-charge. 1 *Wms.* 77. (*Rivet*)

Grant of an annuity for a term of years chargeable upon leasehold premises. 1 *Wms.* 85. (*Booth*)

Grant of an annuity during the life of the grantor, chargeable upon freehold estates. 1 *Wms.* 94. (*Duane and Mr. B.*)

Grant of an annuity by demise and redemption. 1 *Wms.* 112. (*T. W. W.*)

Grant of an annuity by a parish, in order to raise money to defray expences. 1 *Wms.* 119. (*Fogg*)

Grant of an annuity chargeable upon a freehold estate, with liberty for the grantor to repurchase on notice. 1 *Wms.* 125. (*T. W. W.*)

Grant of a rent-charge during the life of the grantee (a late grantor of the premises made a party), *nomine pœnæ*, power of distress, &c. 1 *Bridgm.* 77.

Rent-  
charge.

Grant of a rent-charge out of messuages, lands, &c. by tenant for years and the reversioner (*somewhat special, well and accurately drawn*) 1 *Bridgm.* 243.

Grant of four several rent-charges by a father to his children, with power of distress and *nomine pœnæ*, and a power of revocation. 2 *Bridgm.* 25.

Grant of a rent-charge by way of settlement on a marriage. *Lil.* 773.

Rents.

Grant of a rent by way of demise and redemption. 2 *Bridgm.* 389. 390.

A deed of grant, of fee-farm rents, to trust-

tees for a feme covert, to be at her separate disposal; being purchased with her separate estate, by her husband's consent, who is one of her trustees. *Horfm.* 391.

Grant from one copartner to the other, on retiring from business, of his share of the copartnership debts and effects. 2 *Wms.* 802. (Duane) Debts.

Grant of household stuff and other goods upon trust for husband and wife, and the survivor, (*short, and without covenants*) 1 *Bridg.* 135. Goods, &c.

Deed of gift of goods and other personal property by deed-poll. 2 *Bridgm.* 43.

The like by indenture in trust for payment of debts. *Ibid.* 44.

The like of plate and goods, and debts mentioned in a schedule, with power of attorney to receive the same, and an obligation to be forfeited if the deed revoked. *Ibid.* 28.

Grant, &c. of a considerable sum of money by an aunt to her nephew, in consideration of which he covenants to pay her an annuity during her life. *Horfm.* 378.

A grant of the stewardship of manors. *Stewardship Horfm.* 383.

Grant, in a purchase deed, of writings relating to the estate, (*specially worded; the vendors having several interests.*) 1 *Bridgm.* 18. Writings.

## LEASES.

Leases.

A lease of Thavies Inn; from the trustees for Lincoln's Inn, to the principal and other trustees for Thavies Inn. *Horfm.* 416. Inn of court

Demise or lease of a tenement for three lives with some special covenants. 1 *Bridgm.* 15. Messuages and lands (for life.)



Lease by husband and wife for sixty years if the wife's mother so long live, (*short*). 1 *Bridgm.* 164.

Lease of a house and lands for sixty years if lessor so long live, (*good usual covenants*). 1 *Bridgm.* 259.

(*In trust.*) Lease for eighty years, if lessor so long live, in trust to attend the inheritance, (*short*). 1 *Bridgm.* 269.

Note, *The lessor being tenant by the curtesy and about to purchase the inheritance, this lease was to preserve the tenancy from drowning.*

Lease of lands for seven years, if lessor so long live, in trust to pay debts, comprized in a schedule, subjoined. 2 *Bridgm.* 310.

(*For years*) A lease of a manor, &c. for the term of eight years, (*very short, covenant for the title only*). 1 *Bridgm.* 190.

Lease of farm and lands for eighty years at a rack rent, (*well drawn and many special covenants.*). 1 *Bridgm.* 304.

Lease of a messuage and lands at a rack rent, (*a good precedent, with many special covenants*). 1 *Bridgm.* 305.

A lease of a messuage and shop for years, with some special covenants. *Lil.* 616.

Another of a messuage, &c. for years, with some special covenants. *Ibid.* 620. (*both well drawn*).

A lease of several messuages from *St. Thomas's Hospital*, with special covenants. *Lil.* 624.

Lease of part of a messuage to a guardian and trustees. *Lil.* 780.

A lease for years, from one to one, of house and lands in the country; (*a great number of special covenants, exception of trees, &c.*) *Horfm.* 395. *Messuages, &c. continued.*

A lease from the father who is tenant for life, and the son who has the remainder in the inheritance, of a house, garden, &c. with proper covenants. A proviso in favour of the tenant, for determining the term on notice. *Horfm.* 399.

A demise from one to one, of two different parcels, for terms with different commencements, but ending together. Reservation of rent accordingly. A clause of surrender at a certain time. *Horfm.* 403.

A lease by father, tenant for life, and son, remainder-man of the inheritance, of a piece of garden-ground, to accommodate a tenant of a messuage, &c. Power given to inclose. Proviso for determining this lease along with the former. *Horfm.* 406.

A lease of a capital messuage in London, described by its rooms, &c. (*some special, besides the usual covenants.*) *Horfm.* 407.

A lease of two houses, lands, &c. Rent reserved in money and cyder. Exception of timber-trees. The tenant covenants to preserve them and fruit-trees. He is to have house-bote and plough-bote by assignment of the lessor. He is to repair, (except in case of fire and tempest) and may pull down certain houses, (*other special agreements.*) *Horfm.* 410.

A lease of land and houses; some of which to be pulled down. The tenant to preserve trees. Not to plough in the last three years. He may lop trees for plough-bote, &c. *Horfm.* 413.

Messuages,  
&c. con-  
tinued.

A lease of stables, &c. and a covenant to sell to the lessee on request, for a certain sum.

*Horfm.* 417.

A lease of lands; with an increased rent for ploughing part. Allowance to plough other part for a certain time, with a view to a future lease to be taken; this being granted by a person who had a particular estate. *Horfm.* 419.

A lease of ground and houses for a long term, from a tenant for life, and a person intituled to the reversion, granted in consequence of a former lease being destroyed by fire. 3 *Wms.* 933. (*Duane*)

A lease of lands from a tenant for life under a marriage-settlement. 3 *Wms.* 946. (*W. Fogg*)

A lease, from a lessee for a long term, of a house and premises in London, determinable at the first seven or fourteen years. 3 *Wms.* 971.

(For years  
in trust.)

Lease for thirty-one years for payment of debts, out of rents and proceeds, covenant to surrender when trust fulfilled, (*short*). 2 *Bridgm.* 54.

Lease of a manor, lordship, &c. upon trust to raise a jointure. 2 *Bridgm.* 108.

The substance of a lease for years, to commence after the lessor's death upon trust to be disposed of as he shall by deed or will appoint; a power of revocation on paying a sum of money. 2 *Bridgm.* 398.

(For build-  
ing.)

A building lease. 3 *Wms.* 962. (*T. W. W.*)

Prebend  
(for life).

A lease of a prebend for three lives; special clauses. *Lil.* 633.



A lease for three lives from a prebendary ; of a prebend, tithes, &c. with exception of a presentation. An appointment of attorney to make livery of seisin. *Horsm.* 401. Messuages, &c. continued.

A lease of a prebend and tythes, (*short*). *Bridgm.* 240. 1 Prebend tythes (*for years.*)

Lease of tithes, glebe lands, &c. belonging to a rectory ; an additional rent reserved for ploughing up meadow-ground. *Lil.* 627.

Lease of rectory and parsonage for fifteen years in trust for payment of lessor's debts, and maintenance of wife and children, (*a good covenant for trustees to surrender in order to a renewal*). *1 Bridgm.* 316. Rectory (*in trust.*)

Lease of a tavern with many special provisions. *Lil.* 629. Tavern.

A lease for a year to precede a release. *1 Bridgm.* 279. *2 Ibid.* 59. 139. 367. 370. 1 Leases to precede release.

Lease for six months to enable the lessors to grant release, and convey on a marriage. *1 Bridgm.* 108.

## LETTERS OF ATTORNEY.

*Letters of attorney.*

LETTER of attorney empowering another to inspect the accounts of a deputy in a public office. *Lil.* 457. Inspect accounts.

Letter of attorney to settle accounts and differences, and to receive money. *2 Wms.* 513. (*T. W. W.*) Settle accounts.

Letter of attorney to be admitted to copyhold premises. *2 Wms.* 517. (*T. W. W.*) Admit to copyholds.

Letter of attorney to appear before commissioners of bankrupts in behalf of a creditor. Appear to commission.

## LETTERS OF ATTORNEY.

tor; release debts and sign certificate, &c. *Lil.* 532.

Appoint  
guardian.

Letter of attorney by deed poll, from a minor to his mother, to constitute a guardian, and to manage his estates during his absence abroad, (*well drawn*). 1 *Bridgm.* 248.

Appoint re-  
ceiver.

Letter of attorney appointing a receiver of an estate in mortgage; authority for him to cut underwoods; and agree for paying an increase of interest if mortgage-money be taxed. *Horfm.* 155.

Collect  
debts.

General letter of attorney by deed poll, from one to two to collect in debts, receive rents, commence and defend actions, &c. &c. (*concisely and well drawn*). 1 *Bridgm.* 51.

The like from two to two. 2 *Ibid.* 65.

Letter of attorney to receive debts due from a particular person. 2 *Bridgm.* 541.

Letter of attorney by a tradesman to two persons jointly and severally to get in debts, &c. *Horfm.* 157.

Letter of attorney, in deed of composition, empowering trustees to collect in debts and effects for the benefit of creditors. 2 *Pow. Wood*, 239.

Letter of attorney, in assignment of estate and effects, to recover the same. 2 *Wms.* 711. *Ibid.* 807.

To deliver  
seizin, &c.

Letter of attorney (in a deed of feoffment) to two jointly or severally to make livery. 1 *Bridgm.* 17. 292.

The like to one. *Ibid.* 28.

Letter of attorney (by deed poll) to late pos-

session of lands. 1 *Bridgm.* 262. 2 *Ibid.* 23. 51.

The like to deliver possession. 1 *Bridgm.* 263. 2 *Ibid.* 30. 50.

The like in a feoffment. 2 *Bridgm.* 269.

Letter of attorney (by deed poll) to make assignment of a lease. 1 *Bridgm.* 271.

The like to deliver the same. *Ibid.* 314.

Letter of attorney to enter upon lands and deliver an assignment thereof. 2 *Bridgm.* 88.

Letter of attorney from lessor (in lease for lives) to give possession. *Lil.* 636.

The like from lessee to receive possession. *Ibid.*

Power of attorney in a lease for lives to make livery of seisin. *Horfm.* 403.

Letter of attorney in a deed of feoffment to deliver seisin. 2 *Wms.* 911. *B—e.* 4 *Ibid.* 1509. (*Rivet*)

Power of attorney by deed poll, indorsed to execute a conveyance of plantations. *Horfm.* 772. Execute deeds.

Letter of attorney to execute a deed. 2 *Wms.* 501. (*Rivet*)

Letter of attorney (in a deed) to extend upon a statute staple. 1 *Bridg.* 89. 256. To extend.

A letter of attorney to survey, manage, and let an estate, execute leases, receive rents, &c. And to appoint another attorney, (*well drawn.*) *Horfm.* 160. To manage estates.

Power of attorney from two trustees of bank-stock under a will, to a co-trustee to in- To purchase stock.



vest dividends as received in the purchase of new stock. *Horfm.* 152.

To be proxy      A letter of proxy to serve in the Irish parliament. 2. *Bridgm.* 42.

Receive annuity.      Letter of attorney from an assignor of exchequer annuities, to executor of the assignor, to receive same till default in payment of a private annuity for life, (*special recitals.*) *Horfm.* 150.

Receive composition.      Letter of attorney to receive a composition from an insolvent person. 2 *Wms.* 507. (*T. W. W.*)

The like from an administratrix of a person insolvent. *Ibid.* 509.

Receive dividends.      Power of attorney from two to one, to receive dividends of South-Sea annuities. *Horfm.* 150.

Receive interest.      Power of attorney by two surviving mortgagees to receive interest of mortgage-money, (*short*). *Horfm.* 151.

Letter of attorney from a feme covert to her husband to receive interest and profits of a residuary estate devised to her, (*short*). *Horfm.* 162.

Receive legacy.      Letter of attorney (in assignment of a legacy) from husband and wife, and another assignor to the assignee, to recover the legacy assigned. *Horfm.* 52.

Power of attorney in an assignment to receive a legacy. 1 *Pow. Wood*, 810.

Letter of attorney to receive a legacy. 2 *Wms.* 522. (*Webb.*)

Receive money on bond.      Letter of an attorney (in an assignment) of bonds to receive the monies due thereon;

with covenant not to revoke same. 1 *Bridgm.*  
118. 120.

The like by a separate instrument. 2 *Ibid.*  
117.

Letter of attorney in an assignment of bond and judgment to recover the money due thereon. 1 *Bridgm.* 315.

Letter of attorney in a mortgage to receive monies due on bond, &c. *Lil.* 664.

Letter of attorney to receive the pay of a troop of guards. 2 *Bridgm.* 166. Receive pay

Letter of attorney to two bankers to receive the purchase-money for an estate bought in pursuance of a will, and decree in chancery, (short). *Horfm.* 161. Receive purchase-money.

Power of attorney in assignment of half-pay for the assignee to receive the same of the paymaster of the forces. 1 *Pow. Wood*, 573.

The like to receive such annuity of obligees of bond given as a collateral security. *Ibid.* 576.

Letter of attorney to receive rents, &c. *Lil.* 695. Receive rents.

Power of attorney to receive and recover the rents of an executrix, give discharges, &c. *Horfm.* 148.

Power of attorney from a feme covert in pursuance of a reserved authority, to recover rents and give acquittance in the name of herself and her trustee. *Ibid.* 149.

Letter of attorney appointing a receiver of an estate in mortgage, for securing payment of interest, (a good precedent). *Horfm.* 153.

## LETTERS OF LICENCE.

Power of attorney (in a mortgage deed) from mortgagor and mortgagee to a third person to receive rents, &c. to keep down interest and make other payment, (*a good precedent*). *Horfm.* 158.

Letter of attorney from trustees of an estate to the owner thereof, to receive rents, &c. and apply the money according to the trusts; with power to appoint other attorneys. *Horfm.* 159.

Letter of attorney to receive rents, debts and dividends; and to demise premises. 2 *Wms.* 504. (*T. W. W.*)

To sell effects.

Letter of attorney from trustees to dispose of an insolvent's stock in trade and collect debts. 2 *Wms.* 511. (*T. W. W.*)

Sell annuity.

A letter of attorney to sell an annuity, settle accounts and receive debts and other monies. 2 *Wms.* 514. (*T. W. W.*)

To sue.

Letter of attorney by indenture, to sue the marshal of the king's bench prison upon an escape. 1 *Bridgm.* 249.

Surrender copyholds.

A letter of attorney from tenant of a manor, to two, to surrender copyhold to the use of a purchaser. *Horfm.* 280.

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Letter of licence.

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## LETTERS OF LICENCE.

A LETTER of licence for a chaplain to hold two benefices, (*Latin*). 2 *Bridgm.* 182.

Letter of licence, in a composition deed, to a creditor till a given day, he observing in all respects the covenants, &c. in such deed contained. 2 *Pow. Wood*, 242.



## LIMITATIONS.

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A licence from creditors (in a deed of composition) to permit the debtor to dispose of his effects. 2 *Wms.* 722.

## LIMITATIONS.

Limitation.

LIMITATIONS to cognizees for 200 years.

1 *Bridgm.* 126.

To one cognizee for life. *Ibid.*

To an eldest son by name in tail male.

1 *Bridg.* 126, 276.

To the second and other sons in like manner. *Ibid.* 276.

To a wife if enstient till delivered, in trust for the child. 1 *Bridgm.* 153. 212. 2 *Ibid.* 104.

To trustees in the like case for like purpose.

1 *Bridgm.* 301. *Lil.* 757.

To an after born son in tail-male. 1 *Bridgm.* 126.

To brothers in tail male. 1 *Bridgm.* 126.

To the heirs of the body of a cognizor. *Ibid.*

To the right heirs of a father in fee. 1 *Bridgm.* 126.

To the husband in fee as to part of premises. 1 *Bridgm.* 150. *Lil.* 757.

To wife, of an annuity if she survive her husband. 1 *Bridgm.* 1.

To the first son of the husband by the intended wife in tail male. 1 *Bridgm.* 85. 2 *Ibid.* 96. 152. *Lil.* 715. 756.

Limitation to the second and other sons of

## LIMITATIONS.

the husband by the intended wife in tail male.  
1 *Bridgm.* 152. 2 *Ibid.* 96.

To the husband for life. 1 *Bridgm.* 150.  
*Lil.* 754.

To trustees for life of the husband in trust to  
preserve, &c. 1 *Bridgm.* 85. *Lil.* 761. 714.

To one trustee for a like purpose.

To the wife for jointure. 1 *Bridgm.* 85.  
210. *Lil.* 754. 714.

To the right heirs of the husband in fee.  
1 *Bridgm.*

To the heirs of the husband in tail male.  
1 *Bridgm.* 153.

To a brother for life. *Ibid.*

To the first and other sons of a brother in  
tail-male. *Ibid.*

To a wife for increase of jointure. *Ibid.* 175.

To husband for ninety-nine years. *Ibid.* 210.

To the first and other sons of the husband  
by his then wife in tail general. *Ibid.* 210.

To the first and other sons of the husband  
by any future wife in tail general. *Ibid.* 210.  
211. *Lil.* 722.

Limitation of a jointure to a wife after mar-  
riage by deed-poll, (*short, and without covenants*)  
1 *Bridgm.* 191.

Limitation to daughters of the husband by  
his then wife in tail general. 1 *Bridg.* 211, 212.

Limitation to the daughters of the husband  
by any future wife in tail general. *Ibid.*

Limitation to the wife's appointment, if she  
survive her husband. 1 *Bridgm.* 212.

## LIMITATIONS.

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The like though she die first, and though a minor. *Ibid.* 213.

Limitation to the husband's appointment. 1 *Bridgm.* 213. 2 *Ibid.* 105. 395.

Limitation of stock to the husband till marriage. *Lil.* 745.

Limitation to the wife till marriage. *Ibid.*

Limitation to the husband for life. *Lil.* 746.

Limitation to the wife for life, if she survive her husband. *Ibid.* 747.

Limitation to children in such proportions as husband shall appoint. *Ibid.* 747.

Limitation to children to be equally divided amongst them. *Ibid.* 747.

Limitations to the grantor for life. 2 *Bridg.* 96.

Limitations to daughters of the grantor's heir in tail general. *Ibid.* 97.

To the grantor's own daughters in tail male. 2 *Bridgm.* 97.

Limitations to the grantor's sisters. *Ibid.*

Limitations to such persons to whom the grantor shall make leases thereof. *Ibid.* 106.

Limitations of a term to the use of husband and wife and children successively. *Ibid.* 478.

Limitations to the grantor's appointment for twenty-one years. 2 *Ibid.* 394.

Limitations to the husband's father for life. 2 *Bridgm.* 230. 240.

Limitations to the husband's father in tail male. *Ibid.* 241.

Limitations to the first son of the husband's



## LIMITATIONS.

father by name in tail male, and to all other sons in like manner. *Ibid.* 230.

Limitations to the brother of the husband in tail male. 2 *Bridgm.* 241.

Limitations of pin-money to the wife. *Ibid.* 248. 277.

Limitations to the husband's uncle for life. *Ibid.* 258.

Limitation of a rent-charge to the husband. *Ibid.* 270.

A variety of limitations in settlement by private act of parliament passed in contemplation of marriage, for the purpose of raising the intended wife's portion, &c. &c. (*very specially and accurately drawn*) *Lil.* 698.

Limitations to prevent dower: so framed as to enable the purchaser to make a valid conveyance without the interposition of his trustee. 3 *Pow. Wood.* 229. (*I. I. P.*)

Note. *Observations annexed relative to the different modes of barring dower, and the principles on which they depend. (Of which see also title RELEASE.)*

Limitation of a real estate by way of cross-remainders between daughters. 3 *Pow. Wood,* 321.

Limitation by way of cross-remainders of the trust of money in the funds, subject to the appointment of the parents. 3 *Pow. Wood,* 321.

Limitation of trusts of money, with various contingent dispositions between daughters, and not to be subject to the controul of their husbands. *Ibid.* 323.

Shifting limitations, in case the *cestui que use* should not take the name of the settler or

should acquire other estates. 3 *Pow. Wood*, 325.

LIVERY AND SEISIN.

Livery and Seisin.

MEMORANDUMS of livery of seisin indorsed on the feoffment. 2 *Bridgm.* 52. 53. 186. 466.

See LETTER OF ATTORNEY.

MEMORIALS.

Memorial.

A memorial of a purchase to be registered in Middlesex. *Horfm.* 821.

A memorial of a conveyance of lands in Ireland, to be registered there. *Horfm.* 822.

Memorials of will of lands in Middlesex. *Horfm.* 821. 822.

A memorial of a will of lands in Ireland, to be registred there. *Horfm.* 823.

A memorial of an annuity under 17 Geo. III. c. 26. (*with an abstract of the act subjoined*). 3 *Pow. Wood*, 332.

MORTGAGES.

Mortgage.

MORTGAGE in fee by husband and wife of a moiety of manors, lands, &c. of the wife; covenant to levy a fine and other special covenants, (*a good precedent*). 1 *Bridgm.* 98.

By grant in fee.

Note. *Separate grant of reversions, &c.*

Mortgage in fee by grant and release; covenant to levy a fine, and other special covenants. (*well drawn*) *Lil.* 549, 647.

A mortgage in fee, by release; and assignment by a trustee of terms to attend the inheritance, to a trustee for the mortgagee. *Inte-*

By grant  
continued.

rest at 4l. 10s. *per cent.* if paid within a short day. *Horfm.* 728.

A mortgage in fee of manors, &c. a rectory impropriate, glebe lands, tithes, &c. which were before mortgaged in fee. In this deed the mortgagor and former mortgagee join; and the mortgagor receives a further sum of money. Policies of assurance assigned. *Horfm.* 733.

A mortgage in fee, by a mortgagor and his trustee. There are also three long terms standing out in a trustee for the mortgagor; who, by direction of the mortgagor, covenants to stand possessed in the first place in trust for better security. *Horfm.* 738.

A mortgage in fee of an inheritance, by the mortgagor and his trustee: and an assignment of leaseholds for securing the same sum; and an agreement that a term of the mortgagor shall continue in a trustee, in trust for the mortgagee to better his security. (*good covenants.*) *Horfm.* 744.

A mortgage in fee from one to one, by lease, release and fine; this being the release, and containing a covenant to levy fines to bar in-tails. Exception of a jointure for life on part of the mortgaged premises. *Horfm.* 749.

A mortgage in fee by father and son, of a manor, advowson, &c. (exception as to parcels, and as to certain mortgage terms which are now by another deed assigned in trust for the mortgagee.) The father, having a power by his marriage-settlement to appoint portions for younger children, covenants that he will not appoint them in prejudice of this security. The mortgagee covenants to accept less than lawful interest on early payment, and not otherwise. *Horfm.* 752.



A mortgage in fee, to two former mortgagees in fee: one of them being a trustee for the other. This is by release of the former equity of redemption, and a confirmation of their estate, subject to a new proviso &c. for redemption, on payment of the now consideration money, *viz.* the former and an additional sum. *Horfm.* 758.

A mortgage in fee of a plantation in Tobago. 3 *Wms.* 1053. (*Duane*)

Mortgage of a plantation in the West-Indies, with very special covenants relative to postponing prior mortgages. 3 *Pow. Wood*, 374.

A mortgage from the tenants for life, and a person intitled in reversion under a marriage-settlement. 3 *Wms.* 1084. (*Wm. Rivet*)

A mortgage of lands by a tenant for life in possession, for securing an annuity. 3 *Wms.* 1096. (*Rivet*)

A mortgage in fee, with a proviso for reducing the interest, if paid within a limited time. 3 *Wms.* 1109. (*Wilbraham.*)

Mortgage by demise of land for 500 years, (*good usual, and many special covenants*). By demise for years. 1 *Bridgm.* 34.

The like of manor park, advowson, &c. with covenant to levy a fine. *Ibid.* 39.

The like of houses. *Ibid.* 63.

Note. *No reddendum to either of these last.*

Mortgage of messuages, &c. by demise for 500 years. 1 *Bridgm.* 96.

Mortgage by husband and wife of annuities under a marriage settlement, and of the lands out of which the same issue, (the mortgage by

By demise  
continued.

lease for 500 years, and fine *sur concessit*). 1  
*Bridgm.* 195.

Mortgage of messuage and lands, by demise for 200 years, special covenants for payment of the mortgage-money, parties joining have various interests. 1 *Bridgm.* 226.

Mortgage of a manor by demise for 1000 years, and re-demise for 999. 1 *Bridgm.* 103.

Mortgage by demise for 500 years of a manor, &c. (trustee under a settlement, and an annuitant join, and the annuity released). 1 *Bridgm.* 192.

Mortgage of lands, &c. for 500 years, with proper covenants. 1 *Bridgm.* 272.

Bargain and sale by way of mortgage of the fourth part of a farm, &c. for a term of 500 years. *Lil.* 553.

A mortgage from one to one, by a demise of houses, &c. for years. *Horsm.* 726.

A mortgage by demise from father and son, with exception of an annuity charged on the lands. *Horsm.* 741.

A mortgage by demise; by a father, to secure his daughter's portion, which by marriage-articles is to be applied to certain uses. Agreement that he shall not be bound to see to the application. *Horsm.* 760.

A mortgage of leasehold premises together with a bond entered into by the lessor for securing to the mortgagor the possession. (*a good precedent*). 3 *Wms.* 1027.

Note. *An opinion annexed as to the impropriety of inserting covenants in mortgages for converting the interest into principal.*

A mortgage of a freehold estate by demise.

3 *Wms.* 1073. (*T. W. W.*)

A further mortgage, by indorsement, for securing a further sum advanced. 3 *Wms.* 1082.

A mortgage by limitation for a term of years, out of the fee; by release and fine. 3 *Pow. Word.* (*I. I. P.*)

By limitation.

Mortgages by assignments of college leases.

1 *Bridgm.* 870.

By assignment.

Mortgage by common assignment of messuages and other premises. *Lil.* 637.

Assignment of a messuage, debts, and judgments by way of mortgage; letter of attorney. *Lil.* 662.

Assignment of lease to a man and his wife by way of mortgage, (*well drawn*). *Lil.* 665.

Assignment by way of mortgage, of a leasehold of the city of London. *Lil.* 673.

Assignment of a term of years, in trust, by way of mortgage. *Lil.* 640.

Assignment of lease and demise of rectory by way of mortgage. Mortgagor to enjoy the lease till breach of the proviso, but mortgagee to enjoy the demise. *Lil.* 653.

Assignment of a lease by way of mortgage, by the administrator of a legatee, with the consent of the executor. *Lil.* 650.

Assignment, in the nature of a mortgage, of the tenth part of an engine and patent for a new invention; and also of a lease. (*special*). *Lil.* 484.



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**Partition.**

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**PARTITION.**

A partition by deed of covenants between tenants in common, with special covenants with each other relative to incumbrances, quiet enjoyment, &c. 2 *Bridgm.* 471.

A deed of partition by lease and release in pursuance of a decree of the Court of Chancery in that behalf; with covenant to levy a fine and suffer recovery of part of the premises. 2 *Bridgm.* 502.

A deed of partition between tenants in common, (*viz.* a feme sole seised in fee of a moiety, and another feme sole tenant for life of the other moiety, remainder to her son in fee) they grant and release to another; as to part, to the use of the first party in fee; as to the residue, to the mother for life, remainder to the son in fee. A sum of money is paid for equality of partition. *Horfm.* 764.

A deed of partition of leasehold premises by mutual releases. 3 *Wms.* 1140. (*B. Filmer.*)

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**Petition.**

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**PETITION.**

A petition to chancery, that an infant trustee may join in a conveyance pursuant to the statute. *Horfm.* 767.

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**Power.**

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**POWERS.**

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**To appoint.**

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**PROVISO** empowering surviving trustee to appoint a co-trustee and convey to him the trusts, &c. 1 *Pow. Wood.* 510.

Power in a settlement enabling trustees to distrain. 2 *Bridgm.* 9. 112.

Power in a deed of declaration of the uses of a recovery, enabling persons for the time being, entitled to several rent charges to dis-  
trein for the same. 2 *Bridgm.* 35.

Proviso in a settlement-deed, authorizing the settler to charge the lands with annuities in certain events. 1 *Bridgm.* 131. To charge.

Proviso in settlement that wife shall have power to grant, limit, devise, &c. notwithstanding coverture. 1 *Bridgm.* 147. To grant.

Power to enable husband to make a jointure for any future wife. 1 *Bridgm.* 128. Make jointure.

The like, with an alternative of raising an annuity for such wife. *Ibid.* 216. 217.

Power for a remainder-man to make a jointure when in possession. 1 *Bridgm.* 158.

A power in a settlement authorizing the husband to raise annuities by way of jointure out of his life estate. 1 *Bridgm.* 217.

Power in a settlement for trustees to limit a jointure when in possession. 2 *Bridgm.* 14.

Power for *cestui que uses*, to limit jointures as they come into possession. 2 *Bridgm.* 16. 99.

Power to make jointure for the wife and herself. 2 *Bridgm.* 97.

Power for husband to make a jointure for a future wife. 2 *Bridgm.* 178.

Proviso (in a deed to levy a fine) empowering the *cestui que use*, during six months, to grant annuities for lives of the premises. 1 *Bridgm.* 68. To grant leases.

Proviso in a settlement empowering settler to let leases for twenty-one years or three lives

Leases  
continued.

with the consent of trustees. 1 *Bridgm.* 129.

The like, without such consent. *Ibid.* 140. 158. 177. 278.

The like with an exception of jointure lands, in leases in which the wife shall join. *Ibid.* 216.

Proviso in marriage settlement, empowering husband to make leases. 1 *Bridgm.* 158.

The like of a remainder-man when in possession. *Ibid.*

Proviso in marriage settlement, empowering husband to make leases of lands not in jointure, and husband and wife of the jointure lands. 1 *Bridgm.* 216.

Powers in deeds of settlement of estates for *cestui que uses* to grant leases when they come into possession. 2 *Bridgm.* 12, 13, 14, 15, 16. 100. 118. 138. 396. 470.

Proviso to make leases for any number of years in possession. 2 *Bridgm.* 12.

The like for twenty-one years, or three leases. *Ibid.* 13. 470.

Power to make leases by attorney. 2 *Bridgm.* 98.

Power for husband and wife to make leases, the wife joining therein. 2 *Bridgm.* 176.

Power to make leases and jointure, revoke, &c. *Lik.* 778.

Power for leasing premises for twenty-one years. *Ibid.* 779.

A proviso empowering a tenant in possession to make leases, (*specially drawn*). 3 *Pow. Wood,* 459.



A like proviso for the letting on building leases. *Ibid.* 460.

Power in a settlement for husband to make leases during the joint lives of himself and wife, and for her after his decease. 3 *Pow. Wood*, 643.

Power of re entry upon demised premises on special circumstances. *Lil.* 626. Re entry.

Proviso enabling cognizees to revoke uses with consent of one or more cognizors; such power not to extend to uses already executed. 1 *Bridgm.* 130. Revocation.

Proviso authorizing husband to revoke trusts with the consent of his wife. 1 *Bridgm.* 143.

Proviso for revoking uses declared in a deed, at pleasure. 3 *Pow. Wood*, 456.

The like, with power to declare new uses. *Ibid.*

Power to revoke the uses of settled estates, with the consent of a father and an uncle, in order to sell the same and purchase other lands to be settled to like uses. 3 *Pow. Wood*, 645.

Power to revoke and alter childrens portions. 2 *Bridgm.* 56. 510.

Power in a will for trustees to alter bequests to children. 2 *Bridgm.* 156.

Power to decide controversies relative to the will. 2 *Bridg.* 157.

Power to make allowances to servants. 2 *Bridgm.* 157.

Proviso in a trust assignment, empowering the assignor to revoke the deed on tendering 6d. to the trustees. 1 *Bridgm.* 203.

Proviso empowering the grantor to make void the deed. 2 *Bridgm.* 27. 394.

A power of revocation in a deed, 2 *Bridgm.* 103. 382. 397. 478. (*the first specially drawn*).

The like by separate deed. *Ibid.* 381.

Transfer  
trusts.

Proviso in a deed of composition with creditors for changing the trustees, and transferring the trust estate to the new trustees. 2 *Pow. Wood*, 242.

Transpose  
uses.

Proviso empowering the husband to transpose, &c. the uses of the settlement from one son to another but to none others. 1 *Bridgm.* 304.

See PROVISOES.

Presentation

## PRESENTATION.

PRESENTATION to a living during the life of the patron. (*Latin*). 2 *Bridgm.* 180.

Provisoos.

## PROVISOES.

As to  
creditors.

PROVISOES in deed of distribution that creditors not proving their debts within a specific period shall be excluded from the share of bankrupts effects. *Lil.* 531.

And that such share shall be distributed amongst the other creditors. *Ibid.*

Proviso that if the major part of creditors agree to stop proceedings in suits for recovery of debts, such suits shall be stayed or else carried on at the sole expence of the persisting creditors. *Lil.* 603.

Proviso in deed of composition to discharge the debtor from his debts and execute releases

if all the creditors to such an amount come in. 2 *Pow. Wood.* 241.

Proviso in a deed of composition with creditors that they shall make oath of their respective debts. 2 *Pow. Wood.* 241.

Proviso that if an assignee of debts, &c. receive more than the sum owing to him he shall account for the surplus. *Lil.* 665.

Proviso in settlement that if wife claim Dower. dower the trust shall be void. 1 *Bridgm.* 111.

Proviso in a settlement after marriage, that Jointure. her jointure shall cease on her claiming dower. 1 *Bridgm.* 111.

Proviso in settlement of jointure, annexing a penalty per acre of pasture land which the jointress shall break up. 1 *Bridgm.* 300.

Proviso that no portions shall be raised for Portions. children provided for in the fathers life time. 1 *Bridgm.* 139, unless such provision be less than they are entitled to. *Ibid.* 156.

Proviso for raising portions for daughters if no son and father should marry again but not otherwise. 1 *Bridgm.* 302.

Proviso in marriage settlement for raising portions for daughters on failure of male issue. 1 *Bridgm.* 331.

Proviso that purchaser shall quit and deliver Purchases. up the premises in case he do not pay the purchase-money on the days appointed. 1 *Bridgm.* 297.

Proviso that vendor shall receive the rents of premises assigned to protect a purchaser, until such purchaser be affected. 1 *Lil.* 469.

Proviso enabling a vendee to retain a reserved fee farm rent, if a certain other fee



farm charged thereon be not duly paid by the vendor. 1 *Bridgm.* 282.

Provifo to indemnify purchafers who fhall pay money to trustees for a payment of debts. *Lil.* 559.

That the premises charged are fubject to the payment of a rent-charge to a parifh. *Ibid.* 574.

**Trustees.**

Provifo in a propofed fettlement, that trustees will defray the expences of fuits commenced againft the intended wife before her marriage. 1 *Bridgm.* 123.

Provifo that the receipt of trustees on the fale of eftates, fhall be a good difcharge to purchafers and mortgagees. 3 *Pow. Wood.* 458.

Provifo in a fettlement, that trustees on the fale of an eftate fhall be answerable for fuch fums only as may come to their hands refpectively. 3 *Pow. Wood.* 458.

Note. *Observations on the effect of this provifo annexed.*

Provifo that trustees fhall not be answerable for each others default. 1 *Pow. Wood.* 511.

Provifo in a fettlement that trustees fhall be paid their expences and fhall not be answerable for each others acts. 3 *Pow. Wood.* 644.

Provifo for trustees in a fettlement to execute fuch eftates as the wife fhall appoint. 1 *Bridgm.* 133.

**Repairs.**

Provifo in a leafe that leffee fhall have rough timber for repairs. *Lil.* 636.

**Remainders.**

Provifo for preferving contingent remainders in cafe the limitations fhould be fhifted

in pursuance of provisions contained in the settlement. 3 *Pow. Wood*, 326.

Proviso that deed shall be void if grantee secured against certain recognizances. 1 *Bridg.* 144. Vacate deeds, &c.

Proviso to vacate a deed if conditions not performed. 1 *Bridgm.* 298.

Proviso (in a demise for indemnity) that deed shall be void, if trustees under a will be saved harmless for paying over surplus monies during an infants minority. 1 *Bridgm.* 358.

Proviso for making void a deed if certain sums of money are not paid as thereby stipulated, (*observations subjoined on the effect of an independent proviso*). 3 *Pow. Wood*. 457.

Proviso to make void an assignment of a patent on payment of certain sums of money. *Lil.* 487.

Proviso to vacate an assignment of premises made to protect a purchaser of other premises from incumbrances. *Lil.* 469.

Proviso in deed of composition, that the same shall be void if the creditors refuse to come. 2 *Pow. Wood*. 241.

Proviso in a deed of composition and release to vacate the same if the terms thereof are not complied with. 2 *Wms.* 725.

Proviso for making void a jointure on the wife's claiming dower. 1 *Bridgm.* 111.

Proviso to make void limitations on a lady's marrying without consent. 2 *Bridgm.* 8.

Proviso that unless *cestui que use* take the coat of arms and name of the settler, the limitations shall go over. 2 *Bridgm.* 8. 10.

## RECITALS.

Provifo in a fettlement for annulling limitations if *cestui que use* refuse to take the name and arms of the settler, (*well drawn*). 3 *Pow. Wood*, 325.

Provifo for shifting limitations if the *cestui que use* should acquire another estate of a certain yearly value, (*well drawn*). 3 *Pow. Wood*, 326.

Good provifo for annulling mortgage-deed on payment of principal on a day certain and interest in the mean time. 1 *Bridgm.* 272.

Provifo (in a redemise for securing an annuity) that after lessor's death the rent and former demise shall cease, his executors, &c. surrender their interest, and deliver up counterpart of the securities. 1 *Bridgm.* 47.

Indorfement controlling and qualifying provifoes in a deed. *Lil.* 687.

Waste.

Provifo that a person shall not commit waste while in poffeffion of an estate. 1 *Bridgm.* 298.

See COVENANTS, POWERS.

Receipt.

## RECEIPT.

A receipt for writings. *Lil.* 739.

Recital.

## RECITALS.

Acts of parliament.

RECITALS of acts of parliament: *Horfm.* 100. 166. 286. 632. 830. 845. 891. 977.

Recital of a defect in an act of parliament. *Horfm.* 286.

Administration.

Recital of administration obtained from a bishop of London's court. *Lil.* 650.

Agreement

Recital of articles of agreement between a trustee and his deputy. *Lil.* 457.



Recital of an agreement for purchases under various circumstances. *Horfm.* 169. 774. 862. 921. 929. 1118.

Recital of an agreement for purchase of annuities. *Horfm.* 380.

Of an agreement for the application of portions. *Ibid.* 43.

That grantor is to keep the counterparts of leases. *Ibid.* 391.

Recital of agreement to make partition. *Horfm.* 764.

Of agreement to indemnify purchaser from the arrears of an annuity. *Ibid.* 800.

Of an annuity-order out of the exchequer. *Lil.* 474. Annuity.

Recital of an appointment to a deputyship of a registry. *Lil.* 471. Appointment.

Recital in a deed of appointment, of a power of sale and exchange contained in a settlement. *1 Pow. Wood,* 500.

Recital of the assignment of an exchequer annuity. *Lil.* 475. 476. Assignment.

Of leases and assignments being vested in executors. *Ibid.* 479.

Recital of the assignment of the share of a patent. *Ibid.* 485.

Recital of the assignment of messuages erected in the room of others burnt down. *Lil.* 490.

Of an assignment of a mortgage by indorsement. *Ibid.* 517.

Recital of the assignment of a term for the benefit of creditors. *Lil.* 519.

Recital of the assignment of a ship and cargo for payment of debts. *Ibid.* 598.

Recital of the assignment of an equity of redemption. *Lil.* 662.

Recital of the assignment of such assignment. *Ibid.*

Recital of the assignment of two renters shares in a theatre. 2 *Pow. Wood*, 608.

Bargain and sale.

Recital of bargain and sale, covenant to suffer a recovery, &c. (*very full*). 1 *Bridgm.* 171.

Recital in release of the bargain and sale for a year. 2 *Bridgm.* 110.

Bonds, &c.

Recital of a bond, *Lil.* 647.

Recital of bonds, and of judgments obtained thereon. 1 *Bridgm.* 315. *Lil.* 606. 649.

Recitals of several statutes and judgments. *Lil.* 468.

Buildings.

Recital of new erected buildings. *Lil.* 495.

Commission of bankrupt.

Recital of a commission of bankruptcy having been awarded against several persons. *Lil.* 518.

The like with the subsequent proceedings under the commission. *Ibid.* 520. 524. 528.

Controversies.

Recital that controversies being likely to arise relative to a father's will, the elder brother agrees to pay the other certain sums in lieu of claims. *Horfm.* 832.

Covenant.

Recital of a deed of covenant to levy a fine. 1 *Bridgm.* 1. 206.

- Recital of debts owing. *Lil.* 604. Debts.
- Recitals of debts owing at the time of a person's death. *Lil.* 598.
- Of a decree made by commissioners for charitable uses. 1 *Bridgm.* 241. Decree.
- Recital of a decree in chancery, ordering an account to be taken of the proceedings of a voyage. *Lil.* 597.
- Recital (in a mortgage) of a decree ordering the master to examine securities on behalf of an infant; and the masters opinion thereon. *Lil.* 677.
- Recital of a decree in chancery. 3 *Pow. Wood*, 479.
- Recitals of a decree and other proceedings in a suit in chancery. 3 *Pow. Wood*, 416.
- Recital of deputations for various purposes. *Lil.* 457. 465. 593. Deputation.
- Recitals relative to the distribution of bankrupt's effects. *Lil.* 530. Distribution.
- Recital of the expenditure of money in building. *Lil.* 491. Expenditure.
- Recital of a fine levied, (*uses set forth at length*). 2 *Bridgm.* 2. Fine.
- Of a grant by the king to the assignor's grandfather. 1 *Bridgm.* 80. Grant.
- Recital of a grant of the office of surveyor of the customs from the crown. *Lil.* 464.
- Recital of an invoice. *Lil.* 597. Invoice.
- Recital of a lease for a year in a release. 1 *Bridgm.* 148. Lease.
- Recital of common lease for years. 2 *Bridgm.* 123.



**Leases continued.** Recital of a lease of a scite of ground, made by a rector and churchwardens. *Lil.* 495.

The like of a lease of several messuages erected in the room of others burnt down. *Ibid.* 489.

**Letters patent.**

Recital of letters patent. *Lil.* 457.

Of letters patent for the erection of a parish church and school. 1 *Bridgm.* 240.

Recital of a patent for the invention of an engine, (*well penned*). *Lil.* 484.

Of patentee having divided his right into several shares. *Ibid.*

**Marriage.**

Of the marriage of a female devisee whereby the husband became intitled on the death of a testator to leasehold premises and took possession accordingly. *Lil.* 507.

**Mortgage.**

Recital of a mortgage. *Lil.* 516.

Recital of a mortgage (by assignment) of the 12th part of quit-rents and other premises, left by will. *Lil.* 566.

**Recognizance.**

Recital of a recognizance. 1 *Bridgm.* 313.

**Recovery.**

Of a recovery suffered. 2 *Bridgm.* 2.

Note. *The general uses set out at length.*

**Release.**

Recital of a release or discharge of premises from part of a jointure secured thereon. *Lil.* 491.

**Revocation**

That revocation of uses, &c. in a settlement, had been made. 1 *Pow. Wood*, 501.

**In marriage settlements.**

That husband should transfer South-Sea annuities to trustees by instalments, &c. *Horfm.* 465.

That husband should receive mortgage-money in part of wife's portion. *Ibid.* 477.

## RECITALS.

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Recital that a person is jointly possessed of a ship and cargo. *Lil.* 596. In settle-  
ments  
continued.

That wife shall have things mentioned in a schedule, together with other matters for her separate use. *Horfm.* 483.

That wife should have a certain sum for pin-money, and in bar of dower. *Ibid.* 632.

That husband shall settle freehold of inheritance and leasehold for lives; and of transferring South-Sea stock and annuities. *Horfm.* 643.

That husband will buy wife an annuity by way of pin-money. *Ibid.* 681.

Recital of agreement, that wife may dispose of her jewels to her children. *Horfm.* 685.

Of various agreements relative to the settlement of different species of property on a marriage. *Ibid.* 691. 704.

That wife shall enjoy and dispose of the rents of her lands, and her personal property. *Horfm.* 722.

Recital of a marriage-settlement, in a deed of appointment. 1 *Pow. Wood*, 498.

Recital of suits subsisting relative to a ship and cargo. *Lil.* 597. Suits.

Of surrender of copyholds. 1 *Bridgm.* Surrender, 135.

Recital of a trust. *Lil.* 465.

Trust.

Recital of a deed of uses. *Ibid.* 792.

Uses.

Recital of a will by which premises were devised for a term of years for raising daughters portions and payment of debts. *Lil.* 491. Wills.

## RELEASES.

Recital of a devise of quit-rents and other premises to twelve children. *Lil.* 566.

Recital of a will, and of the same having been duly proved by the executors. *Ibid.* 507.

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*Re-convey-  
ance.*

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## RE-CONVEYANCE.

A RE-CONVEYANCE of mortgaged premises, by lease and release, from the heir of the mortgagee, his devisees and administrators. 4 *Wms.* 1455.

Re-assignment of leasehold premises by indorsement on the deed of assignment (this deed made to fill up the number of trustees). *Horfm.* 203.

A deed of release and reconveyance of an estate to be in its former plight, upon special circumstances; an elder brother having before obtained by surprize a release from the younger children, of certain claims real and personal which they had thereon: this deed is contrived to defeat that release, and prevent a suit in equity. *Horfm.* 830.

A release and reconveyance of freeholds and copyholds, by the surviving assignee under a commission of bankruptcy, to the bankrupt; his creditors having discharged him. Special recitals of marriage-settlements, the commission, &c. *Horfm.* 967.

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*Release.*

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## RELEASES.

A RELEASE of an action for an assault and battery, (*short*). 2 *Bridgm.* 180.

Annuity.

Release of an annuity in a mortgage-deed. 1 *Bridgm.* 194.



A release of arrears of an annuity, indorsed on back of a deed by which the releasor is entitled. *Horsm.* 45.

Release of assignment to copyholds, (*short*)! *Assignment*  
2 *Bridgm.* 369.

A mutual release (in a dissolution of copartnership) between partners. 2 *Wms.* 716. *Copartnership.*

A release of debts from creditors to a debtor in a deed of composition. 2 *Wms.* 723. *Debts.*

Release of money due on a bond which should be delivered up but is lost. *Horsm.* 2.

A release of monies charged upon a freehold estate, from administrators, with a will annexed, unto a person who had been appointed a receiver of the rents and profits of such estate, under a decree of the Court of Chancery. 4 *Wms.* 1474. (*J. H.*)

A deed of mutual conveyances between two parties. It recites that disputes had arisen between them relating to lands, boundaries, &c. and the heads of an agreement which they had drawn up and signed. The first party assigns to the second two leasehold interests, and grants and releases a right of common, rents, heriots, &c. The second party releases to the first certain lands. Other matters as in the margin. *Horsm.* 367. *To end differences.*

A deed of mutual releases and assignments, between a son of a freeman of London, who is heir and executor to his father, of the one part; and his sister and her husband of the other part; concerning their different claims upon the father's personal estate, by deeds of settlement, the will of the father, the custom

## RELEASES.

of London, and statute of distributions ; under particular circumstances. *Horfm.* 374.

A deed of release of lands, from an elder brother and his trustee, to a younger, in order to make an end of suits and family differences ; the elder by this deed releases lands to the younger, in consideration of real and personal estate, by another deed of this date, released by the younger to the elder. *Ibid.* 925.

Of dower.

A release by a widow of her dower, and her thirds by the custom of London, in consideration of a provision made her by her marriage-settlement. *Lil.* 739.

A release of dower ; by indorsement on a deed, containing a covenant by the deceased husband for this purpose. *Horfm.* 925.

A release of dower. 3 *Wms.* 1437. (*Rivet*)

Equity of redemption

Conveyance by grantor release of the equity of redemption of the mortgaged premises to a purchaser, many recitals of assignments of the mortgage, and further charges thereon, (*very specially drawn*). 2 *Bridgm.* 486.

Release of equity of redemption in an assignment of a mortgage. *Lil.* 658.

A release of the equity of redemption from the heir of a mortgagor to a person in trust for the mortgagee. 4 *Wms.* 1533. (*Rivet*)

Errors.

A general release of errors on a judgment. (*short*). 2 *Bridgm.* 42. 75. 365.

A release of errors concerning a judgment in a mortgage. *Lil.* 649.

Executorship.

Release or renunciation of an executorship, (*short*). 2 *Bridgm.* 53.

## RELEASES.

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A deed poll on disfranchising a member of a company, whereby the corporation release him of his freedom, and all offices and charges whereto he is engaged under charters, bye-laws, or otherwise. *4 Wms. 1551. (Booth).* Freedom.

A conveyance by lease and release, (this being the release) of a moiety of a messuage, to indemnify a purchaser of lands, &c. against a fee farm rent, issuing out of the whole to the crown. The title is derived under several deeds and wills; which are recited and mentioned in the margin. *Horsm. 873.* As an indemnity.

A conveyance of a freehold estate unto trustees by deeds of lease and release, from a person who was appointed clerk of a company; as a security for his fidelity in such situation. *3 Wms. 1377. (J. H.)*

Conveyance to trustees as a collateral security for settling a new jointure on a wife, she having parted with her jointure. *1 Bridgm. 169.* Jointure.

Grant (by lease and release), of lands, &c. by devisees to a jointress in satisfaction of damage sustained in her jointure by reason of incumbrances. *1 Bridgm. 362.*

A release by a husband, of his wife's jointure by a former husband, to her separate use; and to be subject to her debts. Husband and wife agree to levy a fine *sur concesserunt*, of her jointure on the present husband's estate to trustees for him; the fine to be in a county palatine. Other matter as in the margin. *Horsm. 362.*

A general release or acquittance to an executor of all claims and interest under a will. *(short). 2 Bridgm. 21.* Legacies, &c.



Legacies,  
&c. con-  
tinued.

Release from an administrator to the intestator of so much of personal property for which a suit was instituted, as is confessed in the defendant's answer to have been converted by her. 2 *Bridgm.* 365.

Grant and release of all interest under an administration. 2 *Bridgm.* 366.

Short releases for legacies. *Horfm.* 2. 4 *Wms.* 1549. (*Rivet*)

Release, by legatees and devisee to a purchaser, of legacies charged on lands. Purchaser covenants to produce discharges of legacies in favor of the executrix, (*concisely and accurately drawn*). *Horfm.* 3.

A release of a legacy and of all other claims under a will. 3 *Wms.* 1276. (*Wm. Rivet*)

Release of a legacy by trustees of a charity-school to executors. *Horfm.* 1.

A release and extinguishment of right from executors to a devisee. 4 *Wms.* 1540. (*Duane*)

Mortgage.

Transfer of a mortgage in fee by lease and release, and appointment of a feme-covert; the mortgagor being an alien, his wife joins in the covenants. 2 *Bridgm.* 67.

A release and confirmation of mortgage; messuages and reversions in trust. *Lil.* 682.

Release by way of transfer of a mortgage of the quit-rents of a manor and other premises, (*special recitals, and well drawn*). *Lil.* 567.

Lands, &c.  
to purcha-  
sers.

Conveyance by lease and release, and fine and recovery by a man and his wife of a manor, Barton and Farm, to two joint purchasers; separate grants of remainders, &c. and writings; a general warranty; special covenants relative to a fine already levied and

recovery to be suffered. (*well drawn*). I Purchasers  
Bridgm. 72. continued.

Conveyance by lease and release of a manor, rectory, advowson, and lands, &c. by three vendors to a purchaser reserving a rent; extensive general words, separate grants of reversions, and writings, fee farm rent reserved, with other special provisions, (*a good precedent*) 1 Bridgm. 280.

Conveyance by lease and release of manors, &c. from two to one, (*good usual covenants*.) 2 Bridgm. 457.

A conveyance by lease and release of lands in fee, (*short*) 2 Bridgm. 368.

Conveyances in fee by lease and release of tofts, and two messuages building thereon. Lil. 535.

The like of wood ground, with covenant of warranty, and covenant to levy a fine, (*well drawn*) Ibid. 538.

The like of one-fourth part of messuages, &c. covenant to levy a fine. Ibid. 545.

Lease and release in fee of the moiety of a messuage from a mother to a son. Lil. 562.

Conveyance by lease and release, with covenant to levy a fine, and a declaration of the uses to the purchaser. Lil. 574.

Conveyance by lease and release of a messuage and lands, part freehold and part copyhold, during the life of the releasor, (*with a special covenant in respect to the copyhold part.*) Lil. 613.

A conveyance by lease and release, and fine, to a purchaser of two annuities charged on lands, the conveyance by husband and wife

*Purchasers continued.* and infant trustees (under an order of Chancery made in pursuance of 7 Anne) (well drawn) *Horfm.* 379.

A conveyance by lease and release, of a plantation in Barbadoes; this being the release. Wills, &c. recited. *Horfm.* 768.

Part of a deed of release of a plantation in Barbadoes; wherein a term is raised to secure to the vendor the purchase-money, to be applied as by the will of an ancestor. *Horfm.* 774.

A deed of release; being a conveyance in fee of lands (which are in mortgage to different persons, to some in fee, to others for years) under two wills, a decree and several orders, &c. in Chancery; and also containing assignments from the mortgagees, and variety of recitals. *Horfm.* 824.

A deed of release to a purchaser of lands, &c. by the trustees of a feme covert deceased, under a will made by her, pursuant to a power reserved by deeds before marriage. *Horfm.* 836.

A conveyance by lease, release and recovery, of a mortgaged estate; the wife of the mortgagor having joined in a fine upon making the first mortgage. The mortgagee assigns, upon this purchase, his two mortgage-terms to trustees for the purchaser of the inheritance. *Horfm.* 839.

A deed of release. Lands settled upon a marriage are afterwards by a private act of parliament vested in trustees, to be conveyed in fee to the husband, upon his settling other lands to the uses of the marriage settlement: the husband settles other lands accordingly; and he and his trustees under the act, now



join in a conveyance of the first settled lands to four joint purchasers. *Horfm.* 844. Purchasers  
continued.

A release ; being a conveyance by husband and wife, and her sister a feme sole, to a purchaser, by lease and release, and by fine already levied, and recovery to be suffered, of land, subject to a mortgage term or other terms which are to be assigned to his trustees ; the premises subject to a rent and a lease for years ; with proper covenants. *Horfm.* 852.

Conveyance of lands by lease and release, and fine and recovery (hereby covenanted to be levied and suffered) by the devisee, and other children of the deceased (who was owner of the estate), and their trustees, to the purchaser and his trustee ; with exception of a mortgage-term assigned to attend the inheritance, and a lease made to a tenant. *Horfm.* 857.

A conveyance by the owner of lands and his trustee, by lease and release, and bargain and sale bearing even date, (this being the release) of lands, subject to a mortgage in fee and other incumbrances, which are now paid off. *Horfm.* 862.

A conveyance by recovery, lease and release, of a moiety of lands devised in tail to the son, subject (as to one third) to an estate for life for his mother, and subject to a mortgage by the testator ; and to a sum charged on a term, raised by the will of the person from whom the testator purchased. With special recitals and exceptions. *Horfm.* 866.

A conveyance of wood and wood grounds, by trustees under a will deviling the lands to be sold for certain purposes. Two wills, a decree in Chancery, and several reports and

Purchasers  
continued.

orders are recited; as also a mortgage for years. The assignee of the mortgage (being now paid) assigns her mortgage to a trustee for the purchaser. The conveyance is by bargain, &c. inrolled, and lease and release (this being the release); and the heir at law joins in the conveyance. *Horfm.* 877.

A conveyance of manors, lands, yearly rents, power to cut timber, &c. by the trustees, under a will, and heir at law and her husband: there being also a decree in Chancery; which, with a report, and order to confirm it, is recited. The husband of the heir at law was to have a pre-emption. The conveyance is by bargain, &c. to be inrolled, and lease and release; this being the release. This deed contains also a sale of furniture of a house. *Horfm.* 884.

A sale of manor, forest, chase, &c. under a will, act of parliament and decree; by bargain, &c. to be inrolled, and lease and release, this being the release. The act, decree, &c. are recited. Exception of certain incumbrances; some of which are assigned to protect, &c. *Horfm.* 891.

A release of lands to a purchaser, with exception of a perpetual charity, which is to be paid out of the estate. *Horfm.* 898.

A deed of release of lands, &c. which were subject to mortgages and other incumbrances. The incumbrances are to be now paid out of the purchase-money. The purchasers are the acting executors under a will. Trustees and creditors are parties. A covenant to levy a fine. Many recitals and other circumstances and covenants, as in the margin. *Horfm.* 901.

A deed of release of copperas works, (which are become a scanty security) to the mortgagee of them in fee; and a sale and assignment of the stock and utensils. This conveyance being by tenant in tail male, with the immediate remainder in fee expectant; he covenants to levy a fine of them, to the relesee. The consideration is the mortgage money. *Horfm.* 918. Purchasers continued.

A deed of release; by a mother, son, and mortgagee in fee, of a brewhouse, &c. (with exceptions) to a purchaser; the mortgage-money, and other money lent, being now paid out of the purchase-money. A trustee of a term which had been raised for the benefit of the mortgagee, now (by direction) agrees to stand possessed, to protect, &c. for the benefit of the purchaser. *Horfm.* 921.

A deed of mutual releases. A mortgagor in fee, in consideration of the money due on the mortgage, and of other money, releases absolutely part of the lands to the mortgagee: and trustees of a term covenant to stand possessed for the benefit of this purchaser. The mortgagee releases to the mortgagor, the rest of the lands in mortgage; and a trustee of terms, by direction assigns them to a trustee for this latter purchaser. Some writings to be kept by one party, others by the other party. *Horfm.* 929.

A deed of release of manors, lands, &c. bought in trust, before a Master in Chancery, under a will, and decree thereupon for a sale. An assignment of term to attend, &c. A covenant by two husbands, for them and their wives, to levy fines. The reports of several masters, and the orders confirming them, and several other orders recited. *Horfm.* 937.



Purchasers  
continued.

A conveyance in fee by lease and release, (this being the release) of lands in mortgage for years. The mortgage terms are hereby assigned to trustees for the purchaser; and term which was created by an old marriage-settlement to raise portions (which have been paid) is assigned by another deed of this date; the mortgage-money paid is part of the consideration-money of this conveyance, the assignee of the mortgage being a party. *Horfm.* 944.

A conveyance by lease, release, &c. (this being the release) of part of lands in mortgage. The vendor pays off part of the mortgage-money, and the vendee pays the residue to the mortgagee, who is one of the parties hereto. This payment being the consideration-money. The mortgage term is assigned by the mortgagee, to a trustee for the purchaser. *Horfm.* 949.

A release of marsh lands, &c. A reference to a bargain and sale to be inrolled. Exception of rents and services due, and of a lease made. *Horfm.* 953.

A deed of release of lands, by the devisee and his wife, to a purchaser. Part of the consideration money to be paid for mortgages and other debts. A fine covenanted to be levied, to the use of the purchaser. Terms to be assigned to protect, &c. *Horfm.* 956.

A conveyance of lands in mortgage to a purchaser under a settlement, will, and decree in Chancery. Other lands excepted, and mutual agreements as to the enjoyment of a ferry, landing-place, &c. Variety of other good matter, as in the margin. *Horfm.* 1073.

A conveyance of freehold premises, by lease and release from a devisee, to a pur-

chafer, wherein the heir at law joined by way of confirmation. 3 *Wms.* 1151. (*B. Filmer*) Purchasers continued.

A conveyance of a manor, by deeds of lease and release from a mortgagee, mortgagors, and the trustee of an insolvent person to a purchaser, with covenants from the purchaser upon part of the purchase-money being left in his hands, to pay the interest thereof, to certain persons for life, and after their death to divide the principal among the parties intitled thereto under a will. 3 *Wms.* 1159. (*M. Duane*)

A conveyance of freehold ground rents, by lease and release. 3 *Wms.* 1199. (*J. H.*)

A conveyance by lease and release of a freehold estate, and an assignment of leasehold premises, from the trustees named in an act of parliament, and an heir at law to a purchaser. 3 *Wms.* 1210. (*J. H.*)

A conveyance by lease and release of the seventh part of a freehold estate directed by a testator to be sold for the purpose of dividing the monies arising by such sale between several persons, and an assignment from the grantor of his share thereof. 3 *Wms.* 1247. (*Rivet*)

A conveyance of a freehold estate by lease and release to several persons in trust for a corporation, with a declaration of trust from the trustees; and an assignment of a term to a trustee to attend the inheritance. 3 *Wms.* 1256. (*J. H.*)

A conveyance of freehold premises from a mortgagor, a mortgagee, and a person formerly intitled to the inheritance, by deeds of lease and release. 3 *Wms.* 1287. (*W. Fogg.*)

A conveyance of a freehold estate to a pur-

Purchasers  
continued.

chafer, by lease and release, wherein the mortgagee, and trustees appointed by a former deed to sell the premises, as well as the mortgagor, joined; and an assignment of a term to a trustee. 3 *Wms.* 1300. (*J. H.*)

A conveyance of a freehold estate to a purchaser, by lease and release, from a devisee for life, an heir at law and other persons, intituled to monies to arise by sale of the premises, after the death of the tenant for life, in consideration of bank stock transferred to trustees, the testator having given the tenant for life power, with the concurrence of legatees, to sell the premises, upon condition that the purchase-money was vested in the funds, in the name of a trustee for the purposes in his will. There is also a declaration of trust in this deed from the tenant for life and trustee, with respect to the bank stock transferred as the consideration. 3 *Wms.* 1323. (*J. H.*)

A conveyance by lease and release, from a mortgagee and a mortgagor, of a moiety of a freehold estate, whereof partition had been made under a decree in the Court of Chancery. 3 *Wms.* 1343. (*J. H.*)

A conveyance from a devisee and a trustee to a purchaser by lease and release, of the seventh part of a freehold estate, to which the testator was intituled under a marriage settlement. 3 *Wms.* 1363. (*W. Rivet*)

A conveyance of freehold premises by deeds of lease and release, to a corporation, from persons who had purchased the same in trust for such corporation, by virtue of powers in the act for building Blackfriars-bridge, enabling bodies corporate, &c. to purchase other



lands in lieu of such as the city of London Purchasers should purchase under that act. 4 *Wms.* 1445. *continued.*  
(*Duane*)

A conveyance of a freehold estate to a purchaser by deeds of lease and release from a person entitled under a marriage settlement; and an assignment of policies of insurance. 4 *Wms.* 1465. (*W. Rivet*)

A conveyance of lands by lease and release, and a fine and recovery hereby covenanted to be levied and suffered. 4 *Wms.* 1481. (*W. Rivet*)

A release from an heir at law and trustees in a settlement to a purchaser. 4 *Wms.* 1492. (*W. Rivet*)

A release in fee from the assignee of a bankrupt to a purchaser. 4 *Wms.* 1514. (*Rivet*)

Conveyance by lease and release to trustees under a settlement, of the fee-simple in one moiety of lands, &c. and a life-interest in the other moiety of the same estate, with covenant that the reversioner shall convey when of age; this purchase made by the trustees with monies arising by the sale of settled estates in pursuance of a power for that purpose. Part of the purchase-money invested in bank annuities till the reversioner attain twenty-one years. 2 *Pow. Wood*, (*J. J. P.*)

Conveyance by lease and release of lands by a mortgagor and mortgagee to a purchaser, (*recitals as to bankruptcy and copyholds.*) 3 *Pow. Wood*, 199.

The like by owners and their trustees of freehold and copyhold premises to a purchaser,

## RELEASES.

(recitals of proceedings in Chancery.) 3 Pow. Wood, 217.

Conveyance by lease and release of the fourth part of messuages, &c. to a purchaser and his trustees. 3 Pow. Wood, 229. (J. J. P.)

Note. This deed is so framed as to prevent dower, and enable the purchaser to convey without the interposition of his trustee.

Having suggested in vol. 2. p. 135, of the Collection of Precedents before adverted to, the objections of the learned annotator on Co. Litt. 379. b. n. (1) to which some of the limitations for barring dower of the wife seem to be liable, and having there alluded to the doubts which are entertained by many respectable gentlemen of the Profession, respecting the propriety of such of them as respect the efficacy of limiting an estate to the "husband's appointment, and in default thereof to him in fee;" and it having been since intimated to me that the grounds upon which I said they were entitled to color have by some been doubted or misconceived, I avail myself of the opportunity I now have of presenting the Student with an opinion upon this subject, lately given by a gentleman of considerable eminence and estimation in the Profession, by which the Reader will perceive more distinctly the reasons upon which the doubts alluded to proceed, and consequently the weight to which they may be entitled.

"Under the limitations to the husband and his heirs, he becomes actually seized of the inheritance, and his wife, unquestionably, is at that time intitled to dower out of that estate and will be dowerable at his death, unless her right of dower can be defeated. The estate of the husband is subject to a power of appointment; by exercising that power he will over-reach and put an end to the estate now actually vested in him.

The question then simply is, *Whether by determining his own estate he will defeat the right of his wife?* Generally speaking, dower is a derivative interest, and depends on the estate of the husband; and before the introduction of estates by shifting use and executory devise, as legal modes of Limitation (with the exception of estates tail determined by the failure of issue inheritable under the intail) the wife's right of dower was universally involved in the determination of the estate of her husband, and therefore whether the estate actually determined in point of limitation or by means of a condition, the wife's right of dower was necessarily defeated because her right of dower is derived out of, and is dependant on the estate of her husband. The right of the wife to have her dower out of an estate tail, notwithstanding the determination of that estate by the failure of issue, seems to have been allowed, on the ground that the statute of intails made no alteration of the husband's estate, as between him and his wife. Since this decision two other exceptions have been made, the first applying to fees determined by a shifting use, 1 Leon. 168. the second to fees determined by executory devise. Buckworth and Thirkell, Trin. Term. 25 Geo. 3. K. B. and in both these cases it seems to be agreed that the right of husbands to curtesy, and consequently of wives to dower, will continue notwithstanding the determination of the estate in respect of which the claim is made. The case alluded to appears to be governed by these authorities, and to be within the reason and principle upon which they were decided. For what more or less, than a fee determinable by a shifting use, is a fee determinable by means of a power of appointment. Of the two instances, this seems most favourable to the wife's claim, since the estate of the husband



## RELEASES.

is to be determined by his own act. At the same time I am aware that it may be objected that as the estate of the husband is subject to a power, the right of the wife ought also to be subject thereto, because the very object intended to be attained by means of the power is to enable the husband to defeat his wife's title to dower. It is impossible to foresee the weight which a court of law will allow to this argument. That the subject is open to argument and discussion, is sufficient reason to induce a purchaser to act in the most secure manner; and the smaller the purchase the more burthensome, comparatively, will be the expence of litigating the question. It is certain that on this point different opinions have been entertained by the Profession; and the late Lord Ashburton, in a MS. opinion in my possession treated the case as too doubtful to enable him to recommend a person who was about to advance money upon a title attended with these circumstances, to accept the security without a fine from the intended mortgagor and his wife. This opinion was given in the year 1776, consequently before the decision of the case of Buckworth and Thinkell; and that case adds greatly to the weight of the in dictum in Leon: and gives authority to that dictum; since estates determined by executory devises and estates determined by shifting uses are within a parity of reason; influenced by the same principle, and subject to the same collateral qualities."

Conveyance by a trustee to his *cestui que trust* of an estate purchased in the trustee's name, and assignment of a statute-staple.  
1 *Bridgm.* 88.

Right and title.

To suffer recovery.

A release of all right and title to certain manors, lands, &c. for ever. 1 *Bridgm.* 239.

A release for making tenant to the freehold

in order to suffer a recovery to bar intails. *Recovery continued.*  
*Lil.* 743.

A release, &c. to make a tenant to the præcipe for suffering a recovery. The manner directed. The use declared to the grantor in fee. *Horfm.* 896.

A deed of release, in order to a recovery in a manor court. *Horfm.* 965.

A release for suffering a recovery of part of an estate comprized in a marriage settlement, and for confirming the uses limited thereof by that settlement. 3 *Wms.* 1398. (*Booth*)

A release for suffering a recovery in order to secure the payment of an annuity, and confirm a will. 3 *Wms.* 1418. (*Duane*)

Conveyance by release and confirmation of premises (specially circumstanced) in trust to sell for payment of mortgages, and to dispose of residue as specified in another deed. *Release in trust.* *Lil.* 558.

A lease and release of rectory and lands in trust to raise an annuity in fee, with power of distress, *nomine pænæ*, and proper covenants. *Lil.* 785.

A release of lands, a park lately disparked, &c. (which have been settled to charitable uses) to the use of the releasor and relesees. *Horfm.* 211.

A release of lands, &c. (settled to charitable uses) by the surviving trustees, to new trustees; upon trusts (referred to) in another deed of this date. *Horfm.* 213.

A deed of release from one to many, supposed in trust for charitable uses; though no notice taken of them in this deed. *Horfm.* 218.

In trust  
continued.

A deed of release of lands by one to three. Part of the profits to educate independent ministers; the residue to the grantees and the heirs of the survivor; the survivor to convey to trustees a power of revocation reserved. *Horfm.* 229.

A conveyance (this being the release) of lands by a son to his father's will to be laid out in a purchase, to be settled; and they are hereby settled accordingly. *Horfm.* 960.

A testator having devised money to be laid out in lands, to be settled in a particular manner upon several collateral relations successively; one of the remainder-men, in consideration of part of the money, by this deed conveys lands which he had purchased, to the trustees in the will, to the uses thereby directed. *Horfm.* 1081.

A release from several persons, who claimed interest in the premises, to the assignees of a bankrupt. 4 *Wms.* 1525. (*Rivet*)

Under a  
will.

Conveyance by lease and release in fee by a man and his wife, and others in pursuance of a will; a covenant to levy a fine; special circumstances recited, (*the whole well drawn*). 2 *Bridgm.* 335.

A deed of release, &c. whereby an elder brother conveys his paternal estate to his younger brother in tail male; in performance of a condition in the will of their maternal grandfather, by which he devised his estate to the new grantor, upon the terms and in manner herein recited. The grantor by another deed of this date, which is recited, revokes his marriage-settlement of his paternal estate, and makes new appointments in jointure, &c.



## REVOCATION.

143

purvant to a power in the settlement. *Horfm.* 909.

A conveyance in fee, by lease and release, from an heir at law to a devisee in order to confirm a defective devise. 3 *Wms.* 1281. (*Rivet*).

## RENUNCIATION.

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*Renuncia-  
tion.*

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A RENUNCIATION of interests under a will. 2 *Bridgm.* 41.

A renunciation of an executorship. 2 *Bridgm.* 53.

A deed by which a creditor renounces the protection of his privilege, in case he should become a peer or member of parliament before the discharge of the debt. *Lil.* 738.

## RESERVATION.

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*Reservation*

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RESERVATION of an heriot. 1 *Bridgm.* 15.

The reservation of *nomine pœnæ* in an annuity deed. 1 *Bridgm.* 78. 151. 244.

## RESIGNATION.

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*Resignation*

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RESIGNATION of a vicarage. 2 *Bridgm.* 183. 184.

## REVOCATION.

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*Revocation.*

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A SIMPLE revocation under a power by deed poll. 1 *Bridgm.* 145. 2 *Ibid.* 27.

The like with wife's consent, with testimonials of such consent. *Bridgm.* 146.

The like, with declaration of new uses. *Ibid.* 147.

## REVOCATION.

Trusts.

Long exchequer annuities having been settled upon a marriage, to make provision for the wife and younger children, were in 1720, subscribed into the South-Sea; by which the provision falling short, the husband settled lands of as good value in lieu of them; and by this deed, he, his wife and mother (being the only surviving parties) pursuant to a power in the settlement, revoke the trusts of the South-Sea stock and annuities. *Horfm.* 971.

A revocation, in pursuance of a power, of the trusts of a sum of money; and direction to the trustees to pay it to one of the parties; he covenants to pay the like sum to the like uses in his life-time. *Horfm.* 972.

A revocation, (in pursuance of a power) by the grantor in a voluntary settlement, of the uses of lands, &c. to enable him to sell without his trustees: he now limits them to himself in fee. *Horfm.* 973.

A deed of revocation, appointment and release in fee of a manor, upon the same being sold to a purchaser; part of the purchase-money to remain on mortgage of the premises. 4 *Wms.* 1557. (*M. Duane*).

Uses.

Revocation of uses in order to a settlement. 2 *Bridgm.* 378.

Deed of revocation of uses by deed poll; new uses appointed; power of revocation, &c. *Lil.* 792.

A deed of revocation of the uses in a marriage-settlement, and appointment of other uses. 4 *Wms.* 1583. (*Rivet*).

Revocation by trustees (in a deed of appointment) of uses, &c. limited in respect of estates now intended to be sold. 1 *Pow. Wood*, 502.

## SETTLEMENTS.

Settlements.

SETTLEMENT (and partition by lot) by daughters, tenants in common, and their husbands, of lands, &c. with the mode of casting lots particularly set forth. 1 *Bridg.* 1.

Settlement of an estate and rent to uses by lease and release, and covenant to levy a fine. 1 *Bridgm.* 275.

Settlement of an estate on the grantor and his family, with powers to make settlements, &c. 2 *Bridgm.* 96.

Settlement of money in mortgage by a widow and executrix, on herself and children, with power of revocation. 2 *Bridgm.* 401.

Settlement of woodgrounds by way of increase of a wife's jointure. *Horfm.* 17.

Settlements on marriage by lease and release, (*short*). 1 *Bridgm.* 83. 299. 2 *Ibid.* 251. Before marriage.

Settlement of lands in the name and blood of the settler by deed of covenant to levy a fine to the intended uses. 1 *Bridgm.* 124.

Settlement by lease and release and assignment in fee to raise a provision for wife and portions for children. 1 *Bridgm.* 138.

Settlement on marriage, of lands, &c. by lease and release; a great variety of limitations and provisions, (*well drawn*). 1 *Bridgm.* 148.

Settlement before marriage by deed, to lead the uses of a recovery to be suffered for that purpose. 1 *Bridgm.* 171.

Settlement before marriage with many limitations and provisions; a covenant to levy a



Before  
marriage  
continued.

fine and special discharge of marriage portion.  
2 *Bridgm.* 187.

The settlement of a jointure after marriage, in pursuance of previous articles; (*very short, no covenants*). 1 *Bridgm.* 191.

Settlement of an estate in the name and blood and family of the settler by fine and recovery, and declaration of the uses thereof, (*settled by Serj. Feasant, Hale, and Bridgman*). 2 *Bridgm.* 1.

Others by lease and release to uses. *Ibid.* 58. 110. 136. 371. 507.

Settlement (by lease and release) of an estate by a father for the purpose of raising portions and provisions for his children, (*well drawn*). 2 *Bridgm.* 110.

Note. *The lease for a year recited in a peculiar manner.*

Marriage settlement in which is contained peculiar modes of barring entails and remainders of lands, &c. and settling the same again by this deed; a vast variety of limitations, trusts, provisoes, &c. (*well drawn*). 2 *Bridgm.* 195.

Marriage settlement where lands are conveyed to trustees, by way of portion, to be sold for repurchasing other lands to be settled to the uses here directed. (*short but well drawn*). 2 *Bridgm.* 217.

Marriage settlement of lands, &c. in the name and blood of the settler in part of the portion paid to the husband, part to his father, fine levied in order to a recovery; many limitations. 2 *Bridgm.* 224.

Marriage settlement of lands to raise a rent charge by way of jointure; distress, nomine

pœnæ, &c. and many limitations. 2 *Bridgm.* Before marriage continued.  
237.

Marriage settlement by way of covenant to lay out money for the purchase of lands to be settled, and to pay money in certain events. 2 *Bridgm.* 249.

Marriage settlement by grant and release; father of the husband settles his lands first; then the father of the wife his; with a power of revocation, (*a good precedent, having a great many wise provisions, and well drawn.*) 2 *Bridg.* 266.

Formal beginning of a marriage settlement of a jointure, only referring to a subsequent deed for other provisions. 2 *Bridgm.* 291.

Marriage settlement by way of deed of trust for disposing of money by way of further provision for life. 2 *Bridgm.* 292.

Grant of a college lease for years by way of settlement on a marriage. 2 *Bridgm.* 306.

Settlement of estates by private act to be sold for the purpose of raising the marriage-portion of the intended wife, (*very special, with a great variety of recitals, provisions, and limitations.*) *Lil.* 698.

A marriage settlement of bank and South-Sea stock, with the usual provisions for children, &c. *Lil.* 745.

Marriage settlement, drawn in a special and masterly manner, with a great variety of provisions and limitations. *Lil.* 753.

Settlement of estates, and of an annuity by a father on his children; covenant to levy a fine and uses declared; power to make leases, jointure, &c. *Lil.* 775.

Before  
marriage  
*continued.*

A settlement before marriage, by the intended wife to the husband and his trustee, of a mortgage in fee, as part of her portion. *Horfm.* 476.

A marriage settlement (in which the mother and sister of the intended husband join) of freeholds, copyholds, and a bishop's lease. Terms raised to provide portions on different events, and to indemnify the settled estates against a provision for a brother who is a minor. *Horfm.* 510.

A settlement before marriage; by the father, mother and son, (the intended husband) of freeholds, copyholds, corporation leases, and other leasehold interests; some for lives, some for years; with variety of limitations, &c. for the benefit of father, mother, husband, wife, issue of that or any other marriage, and remainder to the husband's brother, &c. *Horfm.* 525.

A settlement by a widower, on his marriage with a second wife: pin-money and a jointure provided, and terms in trustees for the better payment of each. Usual limitations to first and other sons in tail male, remainder to brothers of the husband, &c. terms to raise portions for younger children; and for daughters, if no son. Power of revocation as to the collateral remainder. *Horfm.* 543.

A marriage-settlement; in which the father of the intended husband joins, the lady's portion being paid to him. A rent-charge, tax-free, for a jointure, in bar of dower: part limited to the father for life, remainder to his wife for life, &c. several terms of different parts created, for better securing the jointure,



to indemnify against portions of the husband's uncles, to raise portions for younger children, or for daughters, if no son. Proviso for ceasing terms, &c. on unusual contingencies. Power to make a jointure to a future wife. Leasing powers, and good covenants. *Horfm.* 557.

Before  
marriage  
continu'd.

A marriage-settlement; in which the lady's mother pays half the portion to the husband, and half to trustees. A term for pin-money. A rent-charge, free of taxes, for a jointure in bar of dower. Usual limitations in tail. Several terms raised for better payment of the jointure, and to raise portions for younger children. Leasing power and usual covenants. The trust of the moiety of the portion is, the profits to the husband for life; then the principal to younger children, &c. if none, to the executors, &c. of the husband. Powers to place it out, &c. *Horfm.* 570.

A marriage settlement, in which the father and his trustee and eldest daughter join with the younger daughter (upon her marriage with a citizen) to resetttle their estate by moieties. The father covenants to surrender a copyhold to the use, &c. or to suffer it to descend. The husband covenants to allow the wife the benefit of the custom of London, notwithstanding the statute. *Horfm.* 581.

A marriage settlement, in which the whole portion given by the grandfather and father deceased, and a living grandmother, is paid to trustees; to purchase lands to be settled to the uses, &c. in this settlement. Grant of parcels by variety of descriptions, to make a tenant to the præcipe. Covenant for two recoveries: their uses declared. Several terms

Before  
marriage  
continued.

created for pin-money, jointure, portions, &c. for younger children, or daughters if no son (these three last in one;) and leasing powers, with a view to building leases. Provisions about the money, and trustees. N. B. *No limitation to son. Horfm: 587.*

A settlement before marriage, with usual limitations, &c. as to part; and a term raised as to other part, to indemnify the intailed part against a charge by some of the husband's ancestors, in favour of younger children, some of the persons intitled being minors. Other terms for raising portions and maintenances for younger children; or for daughters if no son. Power to raise sums to put out sons; if only one daughter surviving her mother, she to have half her portion in her father's life-time. A church-lease also settled. *Horfm. 601.*

A settlement before marriage, of freehold and copyhold estates (the portion part paid, part secured) to make a jointure, (in a particular manner) by way of rent-charge. Usual limitations. Terms to raise portions and maintenances for younger children, or daughters there being no son. Usual clauses. Leasing power free from incumbrances, except rents, &c. The wife's uncle covenants to pay part of the portion, and to surrender copyhold to the use of the husband by way of mortgage, to secure that part. *Horfm. 613.*

A settlement before marriage, of land, monies and bank annuities of the wife, and bank annuities of the husband. The intended wife grants, releases, &c. Usual limitation to sons; remainder to daughters in common, with cross remainders; remainder to wife's

appointee, or to her in fee. Leasing power to husband and wife. Agreement as to the annuities, &c. to be invested in a purchase, and settled. The wife's estates for life to be in bar of dower. A term to raise portions and maintenances for children. Future settlement to contain certain clauses, &c. proper power and indemnity to the trustees of his personal estate. *Horfm.* 625.

Before marriage  
continued.

A settlement before marriage ; being a deed of appointment of a rent charge by way of jointure in bar of dower, in pursuance of a power given by a private act of parliament. There is also a term raised for pin money ; a term for the better payment of the jointure ; a settlement of the wife's portion, stock and South-Sea annuities, and an additional sum of the husband's for benefit of husband, wife and children. *Horfm.* 632.

A settlement before marriage ; by which, in pursuance of an agreement, the husband settles lands of inheritance, and a church lease for lives, and transfers South-Sea stock: the lady's father transfers South-Sea stock and annuities: both to be transferred to themselves and two more, to be invested in lands to be settled. The lands &c. are limited after husband and wife, to son or sons of the marriage, as appointed by their father, not exceeding an estate tail. If no appointments, to the first, &c. Terms for portions. Jointure for the wife out of different funds. Directions for settling lands when purchased ; and other *special matters*, as in the margin. *Horfm.* 643.

A settlement before marriage. The mother of the intended husband joins in it. A term.



Before  
marriage  
continued.

created to raise portions and maintenances for daughters. A power to the husband (if there be no son) to charge a sum for younger children. The husband covenants to leave a sum of money to the wife; jointure, leasing power, &c. *Horfm.* 657.

A settlement before marriage, by the intended husband, of her estate; being freehold, leasehold, a bond, goods, &c. as to most part, to the husband, during their joint lives, towards house-keeping; as to other part, to her separate disposal; and as to other part, to the husband as a portion; for which she on surviving him is to have an annuity for life. *Horfm.* 663.

A settlement before marriage; by which the husband, in pursuance of a power by a settlement of his father, limits a jointure (in part) out of the settled lands; and charges portions for younger children. The wife being intitled to several provisions by wills, &c. part of her portion is paid to the husband; a part is to be applied to purchase a part of the lands settled for her life after the husband's death, for increase of jointure; some money to pay his father's debts and legacies in aid of the personal estate; some to her separate use. The husband covenants to procure decrees or acts of parliament for several purposes relating to this settlement. *Horfm.* 669.

A settlement before the marriage of a widow to her second husband. A leasehold interest, a mortgage of copyholds, a mortgage in fee, South-Sea stock, jewels, household-goods, &c. are hereby disposed of: some to the husband, others to trustees for the wife's separate

use and disposal, powers, &c. *as in the margin.* Before marriage continued.  
*Horfm. 676.*

A settlement before marriage of pin-money, or an annuity to the wife for her separate use: the father covenants to pay it, and transfer stock and annuities to secure it, the husband having paid him a consideration. The father, with approbation, &c. may settle lands, in lieu, &c. If no issue, the husband is to pay back part of the portion. A covenant for the wife's enjoying and disposing of jewels. This void, if marriage not had within a certain time. *Horfm. 681.*

A short settlement before marriage, by lease and release, (this being the release) of lands; by the wife's father, to the use of the husband and wife, their heirs and assigns. *Horfm. 686.*

One part of a settlement before marriage; the husband having settled other lands by another deed. The wife, who is devisee in tail (with the heir at law to save the charge of proving the will) releases, &c. the devised messuages, in order to a recovery to the use of the husband in fee, as part of her portion. *Horfm. 688.*

A settlement before marriage, of freeholds, leaseholds, and copyholds, by the husband's father. Power to trustees, with consent, to sell and reinvest the money in a purchase. A covenant by the father, to pay a sum to the husband. The wife, who is daughter of a freeman of London, and has children by a former husband, gives part of her fortune to her intended husband for a portion; and settles the residue; part to her children, and part to be at her own disposal. *Horfm. 691.*

Before  
marriage  
continued.

A marriage settlement of great variety, and containing several uncommon designations. The brother and grand mother of the husband join in it. She settles a jointure on the wife, determinable on failure of issue male of this marriage; and the husband settles a jointure to take place on failure of the foregoing. There is a provision for pin-money, to be increased upon a contingency. The wife's portion and South Sea annuities of the husband are to be settled in the hands of trustees for raising portions and maintenances for younger children, &c. &c. *Horfm.* 703.

A settlement before marriage, referring to another deed of this date. The wife, with the husband's consent, releases lands, and assigns terms and goods to trustees, to be at her disposal: and if no disposition, to her brother's children. Part of the lands (comprized in the other deed) subject to her husband's estate for life. *Horfm.* 722.

A settlement by a grandson in pursuance of his grandfather's will. The surviving devisee in trust is also a granting party. The will is in substance recited. Recoveries to be suffered; the uses of them declared. Limitations (after himself for life, and his sons in tail male) by moieties to two aunts, and their sons in tail male; then to their respective daughters. Cross remainders, and other collateral remainders, &c. *Horfm.* 1017.

A settlement before marriage of freehold estates; with power of revocation. 3 *Pow. Wood*, 641.

Of freehold and leasehold estates to the separate use of the wife. *Ibid.* 650.



A settlement before marriage of freehold and leasehold premises, and money in the funds; a great many powers and provisions. *Before marriage continued.*  
 3 *Pow. Wood*, 673.

Settlement of a policy of insurance upon the life of the settler; the monies to arise thereon settled on natural children and their mother, with a variety of contingent limitations. 3 *Pow. Wood*, 702. (*I. I. P.*)

A settlement before marriage, whereby the husband in consideration of the wife's fortune, conveys a freehold estate to trustees, for the purpose of paying the rents to the wife during life, and after her death to raise a sum of money, with the payment of which the wife is hereby empowered to charge the estate. 4 *Wms.* 1666. (*M. Duane*).

A settlement before marriage, whereby the father of the intended husband assigns a considerable leasehold estate to trustees in trust to secure to the wife for her separate use, during coverture, the payment of an annuity: after the death of husband and wife, the trustees are to stand possessed of the premises for the benefit of the children of the marriage. 4 *Wms.* 1693. (*T. Salt*).

A settlement before marriage, whereby the intended husband covenants to secure to the wife an annuity, and also a jointure after his death, in proportion to her fortune, according to a power in a will authorising him so to do. The husband likewise covenants to obtain an act of parliament to enable him to provide for the children of the marriage. 4 *Wms.* 1726. (*Maire, Bosth, Harpur*).

A settlement before marriage, whereby the husband's father covenants in consideration of

Before  
marriage  
*continued.*

the marriage, and of money received from the lady's father, to secure to the son, during life, an annuity, and also to purchase for him with part of the money, a rank in the army. He likewise covenants to place part of the lady's fortune in the funds, and to pay a further sum to trustees to be settled upon various trusts for the benefit of husband and wife and the children of the marriage. Part of the lady's fortune is herein settled for the benefit of a daughter by a first husband. 4 *Wms.* 1777. (*M. B.*)

A settlement before marriage of the wife's real and personal estates. 4 *Wms.* 1586.

A settlement before marriage of bank-annuities transferred by the wife's father to trustees. 4 *Wms.* 1652. (*W. Rivet.*)

A settlement before marriage of freehold and copyhold estates, bank annuities, and South-Sea annuities, the property of the wife. 4 *Wms.* 1801. (*W. S.*)

After mar-  
riage.

Settlement after marriage of lands by lease and release, and assignment; an heir and administrator of a *cestui que trust* join. (*short*). 1 *Bridgm.* 109.

Settlement after marriage of lands, &c. by lease and release; great variety of limitations and provisions, (*well drawn*). 1 *Bridgm.* 205.

Settlement after marriage by lease and release in pursuance of previous articles. (*short*) 1 *Bridgm.* 332.

Settlement after marriage in pursuance of articles entered into before marriage. 2 *Bridgm.* 417.

A settlement after marriage. (*short, but well drawn.*) *Lil.* 769.

A sale and settlement after marriage, reciting a settlement made before marriage, by which part of the wife's portion remaining in her father's hands and part of the husband's fortune, being the produce of exchequer annuities, and other personal estate moving from his brother, were agreed to be invested in a purchase of lands to be settled. This is now done by purchasing from the husband, and settling certain lands which he has purchased since the marriage. *Horfm.* 974.

After  
marriage  
continued.

A settlement after marriage, of lands of the husband, which he had lately purchased, and now grants and settles, in consideration of a part of certain monies arising by the sale of South-Sea stock, which by a settlement before marriage was covenanted to be laid out in a purchase of lands to be settled. An annuity for a jointure; provisions for portions and maintenances; a leasing power with restrictions; a proviso to make void the uses on settling lands of equal value. *Horfm.* 987.

A settlement after marriage, of lands by the husband in lieu of long-annuities, which by marriage articles he covenanted to settle to the use of himself, wife, and younger children; and which were subscribed into the South-Sea stock, and are become insufficient. The marriage articles containing a power of revocation, with consent of certain parties. This deed does the like, and contains several powers as to making leases, &c. *Horfm.* 995.

A settlement after marriage, (of lands since purchased by the husband) in consideration of money arising by the sale of part of the lands formerly settled, and which he had power to



After  
marriage  
continued.

sell on settling an equivalent ; and in consideration of the wife's portion, and of a sum paid on the marriage by his father. The father consents that the last remainder in fee be not limited to himself, as before, but to the husband. A power to sell or exchange quit-rents, &c. in part, &c. the money to be laid out, and settled to like uses. *Horfm.* 1011.

A settlement after marriage, reciting a settlement and articles before marriage, by which the husband settled lands of a certain value, and covenanted to lay out a sum in securities, before the marriage, to be afterwards sold and invested in a purchase, to be settled to like uses ; (*inter alia*) for jointure, in bar of dower and of the custom of London ; and a proviso to empower him to settle other lands in lieu of the former : and having made purchases of greater value, these are now settled by this deed, &c. with like power to cease the uses, on settling other lands of like value, with approbation, &c. (*many other matters, as in the margin.* *Horfm.* 1003.

A settlement after marriage, to provide for the wife, (who has surrendered her jointure at the husband's request) and for three daughters. He grants, &c. to trustees, lands, to sell part ; some of the money to pay off a mortgage, some to be laid out for the wife's benefit, and some for the daughters. Out of the lands not to be sold an annuity to the wife. A term raised for the better payment of it. For the more particular directions, &c. See the margin. *Horfm.* 1023.

A settlement after marriage. The wife being intitled to money-legacies by the wills of an uncle and brother ; and the husband being,

intituled to an estate in Jamaica ; the husband and wife by a former deed assigned the uncle's legacy to a trustee, and directed how he should apply the interest (as in the margin) ; and the husband having covenanted to pay some Jamaica money to the trustee, to be with this legacy, invested in a purchase ; the husband's money not being paid, this deed directs her two legacies to be laid out in purchases to be settled to different uses. The trustee settles freehold, and agrees to surrender copyholds severally, to the several uses (by consent). The latter to the use of the wife. *Horfm.* 1031.

After  
marriage  
continued.

A settlement after marriage, of lands of the wife, in confirmation of a settlement before marriage. Covenant to levy fines, (in C. B. of freeholds ; and in a manor-court, of lands in ancient demesne) that recoveries may be suffered. The uses declared of part to raise an annuity for the wife, in lieu of one provided by the former settlement. An appointment by the wife of the uses of copyholds ; many other powers, &c. for her benefit, &c. *Horfm.* 1038.

A purchase and settlement of lands, in consideration of part of the wife's fortune ; which was bank-stock, and by marriage-articles was liable to be sold and laid out in lands ; subject to the uses in the articles, for the benefit of husband and wife by moieties, and their children, with a great variety of dispositions mentioned in the margin. In this purchase the husband is one of the *cestuy que trusts*, and was also remainder-man in fee of the former estate. *Horfm.* 1049.

A settlement after marriage, by the hus-

*Settl. ments  
aft. marria.  
continued.*

band, of a third part of fee-farm rents, for part of a jointure to his wife, in virtue of the wills of his maternal grandfather and his father, and a deed of trust made by his mother, who was devisee in trust. There were cross remainders between him and two younger brothers. The wife's portion, and a sum added by the husband, are also to be laid out in lands to be settled. Provisions for younger children. *Horfm.* 1057.

A settlement of lands after marriage, by the husband, to whom the father-in-law hath lent a sum of money, equal to a sum which he had agreed to pay as an additional portion, upon a contingency which may possibly not happen; yet he now remits it; and the son-in-law is to pay him an annuity for life. *Horfm.* 1066.

*Note. In this settlement is a power for husband and wife, or survivor, to appoint for children.*

A voluntary settlement after marriage, to provide for a wife, and children unprovided for, they marrying with their mother's consent. A power of revocation to husband and wife successively, &c. *Horfm.* 1071.

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*Schedule.*

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### SCHEDULE.

A SCHEDULE of debts. 2 *Bridgm.* 313.

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*Statute  
staple.*

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### STATUTE STAPLE.

A STATUTE STAPLE. (*Latin*) 2 *Bridgm.* 49.



## SURRENDERS.

Surrenders.

SURRENDER of a mortgage term to the mortgagor on repayment of the mortgage-money after forfeiture. 1 *Bridgm.* 93.

The like by assignees of a mortgage term. *Ibid.* 14.

The like by a surviving executrix of the mortgagee. *Ibid.* 224.

Surrender of tenants leases to enable the reversioner to make a jointure and provisions for children (*this was thought necessary on account of the strict wording of the powers in the settlement*). 1 *Bridgm.* 188.

Surrender of a lease for years which had been made as a security against recognizances. 1 *Bridgm.* 311.

Surrender of a term granted by will. 2 *Bridgm.* 22.

Surrender of the office of a collector, to the king. *Ibid.* 160.

Surrender of lease to landlord. *Ibid.* 158.

A surrender of copyholds previous to the admission of the subsequent tenant. *Horfm.* 280.

The surrender of a tenant, on admission, to the use of her will. *Ibid.* 281.

A surrender of a copyhold, to secure part of a daughter's portion, (*this was before her marriage*.) *Horfm.* 281.

A bishop's lease for three lives being mortgaged for years to a trustee for another; the executors of the trustee, by direction of *cestuy que trust*, surrender the term to a purchaser of

**Surrenders** the lease, in order to merge it ; that he may  
*continued.* surrender and renew, one of the lives being  
 dropt. The purchaser covenants to renew,  
 and make a new demise after renewal. *Horfm.*  
 1097.

A surrender by a jointress, of part of her  
 jointure lands, to her son, who is seised of the  
 reversion in fee. *Horfm.* 1099.

A surrender by a mortgagee, to the mortga-  
 gor, of part of the mortgaged lands ; a great  
 part of the money being paid off. *Horfm.*  
 1100.

Memorandum of surrender indorsed on  
 mortgage deed. 2 *Bridgm.* 185.

The like indorsed on assignment. *Ibid.* 184.

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*Term.*

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TERM.

**Purchaser.** INSTRUCTIONS relative to the mode of a  
 purchaser of mortgaged premises keeping the  
 term alive to attend the inheritance. 2  
*Bridgm.* 392.

The like in respect of vesting the legal  
 estate in trustees of the purchaser where the  
 mortgage is in fee. - *Ibid.*

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*Testimoni-  
 als.*

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TESTIMONIAL.

TESTIMONIALS of wife's consent of her  
 husband's revocation of trusts, &c. 1 *Bridgm.*  
 146.

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*Trusts.*

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TRUSTS.

**Annuities.** TRUST to permit wife to receive an annuity  
 by way of jointure. 1 *Bridgm.* 151.

Deed of trust to insure a further provision for a wife besides her jointure. 2 *Bridgm.* 292.

A trust in a deed of feoffment for the payment of an annuity to children. 2 *Bridgm.* 77.

Proviso in a marriage settlement for raising annuities by way of use of a recovery. 2 *Bridgm.* 35.

Trust in an assignment, that an estate shall be charged with an annuity formerly granted, and that trustees shall discharge the same out of the rents, &c. and pay the surplus to the assignor for life and afterwards to his appointment. 2 *Bridgm.* 31.

Trust to execute such deeds, &c. as a lady whether covert or sole shall direct. 2 *Bridgm.* 68. Execute deeds.

A trust in a settlement to exonerate such estates as wife shall appoint, and permit herto recover the property till appointment. 1 *Bridgm.* 132. Exonerate estates.

Trust to make and renew leases. 2 *Bridgm.* 79. To make leases.

Trust to dispose of rents, &c. during the heir's minority, as his father shall appoint. 1 *Bridgm.* 202. To pay and apply monies.

Trust to dispose of the rents, &c. of an estate for the wife's benefit. 1 *Bridgm.* 294.

Trust of a term out of the fee to pay an annual sum to the husband for his personal maintenance and expences. 1 *Bridgm.* 208.

The like to pay an annual sum to a creditor. *Ibid.* 307.

Trust that the husband shall pay legacies, which may be left by his wife. 2 *Bridgm.* 170.



Trust to pay certain debts and portions to children. 2 *Bridgm.* 55.

To pay annuities for children's portions. *Ibid.* 77.

Raise portions.

Trust of a term in settlement to raise portions for daughters. 1 *Bridgm.* 155 176.

The like in case the father marry a second wife. *Ibid.* 302.

To receive rents.

A trust to permit inheritable heirs to receive rents, &c. of premises charged with an annuity, till default in payment of said annuity. 1 *Bridgm.* 154.

To retain money.

Trust that trustees may retain their expenses. 1 *Bridgm.* 132. 147.

Deed of trust that trustee shall retain a certain sum out of the rents and profits of an estate, and pay the surplus agreeably to direction. 2 *Bridgm.*

To sell.

A trust in a mortgage to sell in default of paying the mortgage-money. 3 *Pow. Wood,* 423.

To surrender.

Trust to surrender estate after trusts performed, or permit the persons entitled thereto to enjoy the same. 1 *Bridgm.* 127.

A trust to surrender an estate to the heir at law if personal estate sufficient to pay debts. 1 *Bridgm.* 142.

Or if no daughters. *Ibid.* 177. 214.

Warranty.

## WARRANTIES.

WARRANTY against all claiming under lessor. 1 *Bridgm.* 17.

Under feoffors. *Ibid.* 19.

Warranty against all claiming under feoffor, his father or grandfather. 1 *Bridgm.* 24.

Under vendor, his wife, or other persons whomsoever. *Ibid.* 73.

General warranty of a lordship, manor, &c. (*very full*). 2 *Bridgm.* 196.

WARRANTS OF ATTORNEY.

*Warrant of attorney.*

WARRANT of attorney to acknowledge satisfaction upon a judgment. 2 *Bridgm.* 74. 140.

Warrant of attorney to appear and suffer a recovery of copyholds in a manor court, with covenant not to revoke. 2 *Bridgm.* 552.

WILLS.

*Wills.*

A WILL of real, personal, and trust estates, a variety of devises and bequests; (*perspicuously and accurately drawn.*) 2 *Bridgm.* 141.

Another will of similar character, *Ibid.* 149.

Other wills. (*short*). 2 *Bridgm.* 513. 514.

Devise of guardianship of children to trustee's wife; with special directions relative to the education of sons. 2 *Bridgm.* 517.

A will of lands, &c. (*specially drawn, with various limitations*), &c. *Lil.* 797.

A will of real and personal estate; an additional portion to a married daughter, to be accepted in lieu of claim under the custom of London. Rent-charges to trustees in favour of three married daughters, for their separate use. East-India stock to the trustees, for the benefit of the daughters, and their respective

children ; remainder over to a grandson, Money to be laid out in lands, to be conveyed to a corporation, in trust for a charity, and to repair a monument. An appointment of money among his children, in pursuance of a power. Devise of lands to a son in fee, subject to the rent-charges. Residuum of personal estate to the same son ; who is appointed sole executor. *Horfm.* 1122.

Devise to place out poor boys apprentice. *Horfm.* 1125.

A will of freeholds, copyholds, leases for years, money, jewels, debts, &c. limitations for life, in tail, &c. legacies absolute, or upon condition ; to charities, to cease in a certain case. Trustees made executors, with ample powers to manage a minor's estate ; and indemnity to them. *Horfm.* 1127. *See the next Precedent, being a codicil to this will.*

A codicil to the foregoing will, laying aside one of the executors, and appointing another. A new rent-charge, and several legacies are given, and some are revoked. *Horfm.* 1130.

A will by a feme covert, reciting a power given to her by her marriage-articles. She gives all to her husband ; appoints him sole executor ; desires to be buried with him, &c. *Horfm.* 1131.

A will giving some legacies to the poor ; and appointing a wife to be executrix, and guardian to the testator's children ; with substitution of others in case of her death ; and the residuum devised to her and her apprentices. The bulk of the estate was settled by deeds executed by the testator, with power of revocation. *Horfm.* 1133.



Will of real and personal estate, with a variety of limitations and provisions for children. 3 *Pow. Wood*, 853. (*J. J. P.*)

Will, whereby the testator charges monies on his estates, and executes other powers in pursuance of his marriage-settlement, which he confirms, (*a great variety of trusts and limitations fully drawn*). 3 *Pow. Wood*, 858.

A codicil to the above will bequeathing annuities and legacies. *Ibid.* 879.

A nuncupative will. *Lil.* 812.

Clause in a will that if legatee sue or molest the rest, the legacy to be void. *Lil.* 812.

A codicil to add a trustee to a will of lands, to devise lands purchased since the will, to the uses in the will; and to declare portions to be ceased, by having advanced daughters in marriage with equal portions. *Horfm.* 1134.

A will of freeholds, copyholds, leaseholds, and monies in the funds. 4 *Wms.* 1843. (*Booth*)

A will of freehold, copyhold, leasehold, and personal estates; the testator devises the same to trustees to secure an annuity to his wife, and provide for any children that he might have by her; and in default of issue he devises the same subject to the annuity, &c. to the eldest son of his uncle; charged with the payment of monies. 4 *Wms.* 1857. (*J. N.*)

A devise of copyhold lands to be sold, the money to be divided amongst the testator's children. 4 *Wms.* 1861. (*J. W. W.*)

A bequest to children. 4 *Wms.* 1863. (*J. W. W.*)

A codicil to a will. 4 *Wms.* 1864.

Words.

## WORDS.

GOOD general words of a manor, rectory,  
&c. 1 *Bridgm.* 22, 231. 251.

Writ.

## WRIT.

A WRIT of privy seal directed to the justices  
of the Common Pleas to empower them to  
take the fine of an infant. 2 *Bridgm.* 547.

## ERRATA AND ADDENDA.

Page v, for "in general" read "sometimes."

9, for 1 *Wms.* read 4 *Wms.*

for *Ibid.* 425, read *Horfm.* 425.

64, for "considered" read "worded."

80, for "of the trust" read "of trust."

96, for "late" read "take."

N.B. The following References were accidentally omitted.

P. 90. Grant of an annuity secured by an assignment  
of money outstanding on mortgage. 3 *Pow. Wood*, 37.

Grant of a reversionary annuity out of lands,  
&c. *Ibid.* 41. (1. I. P.)

Grant of an annuity secured on the *residuum* of  
a testator's real and personal estates. (*very special co-*  
*venants*). *Ibid.* 47.

P. 95. Reversionary lease by a tenant for life, by vir-  
tue of a power in an act of parliament. 3 *Pow. Wood*.  
142.

Lease of a house to commence at a future pe-  
riod, on the tenant's expending a certain sum in  
repairs. *Ibid.* 144.

Lease of a house by a tenant in tail (*many spe-*  
*cial covenants*.) *Ibid.* 147.

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